DOCUMENT RESUME

ED 368 830 UD 029 817

TITLE	Youth Violence: A Community Resource. Hearing on Experience and Reaction to Trends Regarding Juvenile Violence Within the Jurisdiction of Phoenix and Tucson, AZ, before the Subcommittee on Juvenile Justice of the Committee on the Judiciary. United States Senate, One Hundred Third Congress, First Session (Phoenix and Tucson, AZ, June 1-2, 1993).
INSTITUTION	Congress of the U.S., Washington, D.C. Senate Committee on the Judiciary.
REPORT NO	ISBN-0-16-043452-1
PUB DATE	94
NOTE	290p.; Serial No. J-103-17.
AVAILABLE FROM	Superintendent of Documents, Congressional Sales Office, U.S. Government Printing Office, Washington, DC 20402-9325.
PUB TYPE	Legal/Legislative/Regulatory Materials (090) -- Reports - General (140)
EDRS PRICE	MF01/PC12 Plus Postage.
DESCRIPTORS	*Adolescents; Crime Prevention; *Delinquency Prevention; Hearings; *Juvenile Gangs; Juvenile Justice; Local Issues; *Problem Solving; *Violence; Youth Problems
IDENTIFIERS	Congress 103rd; Gun Control

ABSTRACT

Data show that gangs, drugs, and random murders are becoming staples in the lives of U.S. children. Every major U.S. city is facing a deadly gang problem, exemplified by drive-by shootings and teenagers brandishing assault weapons. This document presents witness testimony, prepared statements, and panel discussions that examine the problem of gang violence and the use of firearms by young people within the community, as well as what has and has not worked in attempting to eliminate these problems at the local level. Panelists include Stanley G. Feldman, Chief Justice of the Arizona Supreme Court; Sophia Lopez, representing Mothers Against Gangs; Lora Nye, chairperson, Phoenix Blockwatch Commission; Robert K. Corbin, president, National Rifle Association; and several Arizona city mayors, law enforcement officials and judges, school district administrators, and representatives of community anti-gang grass roots organizations. An appendix contains additional submissions that were submitted for the record. (GLR)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

UD

S. HRG. 103-319

YOUTH VIOLENCE: A COMMUNITY RESPONSE

HEARING

BEFORE THE

SUBCOMMITTEE ON JUVENILE JUSTICE

OF THE

COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE

ONE HUNDRED THIRD CONGRESS

FIRST SESSION

ON

EXPERIENCE AND REACTION TO TRENDS REGARDING JUVENILE VIOLENCE WITHIN THE JURISDICTIONS OF PHOENIX AND TUCSON, AZ

PHOENIX AND TUCSON, AZ

JUNE 1 AND 2, 1993

Serial No. J-103-17

Printed for the use of the Committee on the Judiciary

ED 368 830

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

☐ This document has been reproduced as received from the person or organization originating it.

☐ Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

U.S. DEPARTMENT OF EDUCATION

UD 029817

U.S. GOVERNMENT PRINTING OFFICE

74-122 cc WASHINGTON : 1994

For sale by the U.S. Government Printing Office
Superintendent of Documents, Congressional Sales Office, Washington, DC 20402

ISBN 0-16-043452-1

BEST COPY AVAILABLE

COMMITTEE ON THE JUDICIARY

JOSEPH R. BIDEN, Jr., Delaware, *Chairman*

EDWARD M. KENNEDY, Massachusetts
HOWARD M. METZENBAUM, Ohio
DENNIS DeCONCINI, Arizona
PATRICK J. LEAHY, Vermont
HOWELL HEFLIN, Alabama
PAUL SIMON, Illinois
HERBERT KOHL, Wisconsin
DIANNE FEINSTEIN, California
CAROL MOSELEY-BRAUN, Illinois

ORRIN G. HATCH, Utah
STROM THURMOND, South Carolina
ALAN K. SIMPSON, Wyoming
CHARLES E. GRASSLEY, Iowa
ARLEN SPECTER, Pennsylvania
HANK BROWN, Colorado
WILLIAM S. COHEN, Maine
LARRY PRESSLER, South Dakota

CYNTHIA C. HOGAN, *Chief Counsel*
CATHERINE M. RUSSELL, *Staff Director*
MARK R. DISLER, *Minority Staff Director*

SUBCOMMITTEE ON JUVENILE JUSTICE

HERBERT KOHL, Wisconsin, *Chairman*

JOSEPH R. BIDEN, Jr., Delaware
HANK BROWN, Colorado

JON LEIBOWITZ, *Chief Counsel and Staff Director*
JOHN BLISS, *Minority Chief Counsel*

(II)

CONTENTS

Hearings held on: Page

Tuesday, June 1, 1993, Phoenix, AZ 1
Wednesday, June 2, 1993, Tucson, AZ 107

STATEMENT OF COMMITTEE MEMBER

DeConcini, Hon. Dennis, a U.S. Senator from the State of Arizona 4, 5, 107

CHRONOLOGICAL LIST OF WITNESSES

TUESDAY, JUNE 1, 1993

Panel consisting of the Honorable Stanley G. Feldman, chief justice, Arizona Supreme Court; Coy C. Payne, mayor, Chandler, AZ; Mary Rose Wilcox, supervisor, Maricopa County, AZ; Richard Romley, County Attorney, Maricopa County, AZ; and Harry E. Mitchell, mayor, Tempe, AZ 7
Panel consisting of Victor Herbert, superintendent, Phoenix Union High School District; Sophia Lopez, Mothers Against Gangs, Phoenix, AZ; Nancy Jordan, founder, Genesis, accompanied by Carlos Gowan; Rosemarie Roulhac, C.I.T.Y. DADS, Inc., Phoenix, AZ, accompanied by Kevin Mitchell; and Lora Nye, chairperson, Phoenix Blockwatch Commission 53
Panel consisting of Joseph M. Arpaio, sheriff, Maricopa County, AZ; Robert K. Corbin, president, National Rifle Association; and Gerald P. Richard II, special assistant to the police chief, City of Phoenix 74

WEDNESDAY, JUNE 2, 1993

Panel consisting of George Miller, mayor, Tucson, AZ; Raul Grijalva, supervisor; Molly McKasson, councilwoman; Dan Eckstrom, supervisor; Bruce Wheeler, councilman; and Steve Leal, councilman 108
Panel consisting of Clarence W. Dupnik, Pima County Sheriff; Elaine Hedtke, chief, Tucson Police; Hon. Raner Collins, Juvenile Judge; Gary L. Smith, Sierra Vista Police Department; and Pamela Treadwell-Rubin, Pima County Attorney's Office, Juvenile Division 121
Panel consisting of George F. Garcia, superintendent, Tucson Unified School District; Alice Ramirez, Sunnyside School District; Roy Cooksey, Martin Luther King, Inc.; Dennis W. Noonan, Our Town; Enriqueta Romero, Pima Community College; John Sharpe, Gangbusters; Rod Mullen, Amity Drug Treatment; and Dennis D. Embry, president, Heart Spring, Inc. 154
Panel consisting of Rocco D'Arpino, Robert Hernandez, Christopher Jones, Rosie Hernandez, Alejandro R. Villa, Rudy Huerta, Cindy Ramerez and Eddie Frajoe 232
Panel consisting of Ronnie Rios, Ricardo Lopez, Sergio Morales and Valerie Honyumptewa 241

ALPHABETICAL LIST AND MATERIAL SUBMITTED

Arpaio, Joseph M.:
Testimony 74
Prepared statement with summary 77
Collins, Hon. Raner:
Testimony 131
Letter to Senator DeConcini, May 27, 1993 134
Cooksey, Roy:
Testimony 208
Prepared statement 211

Page

Corbin, Robert K.:
Testimony 81
Prepared statement 86
D'Arpino, Rocco: Testimony 232
Dupnik, Clarence W.:
Testimony 121
Prepared statement with summary 124
Eckstrom, Dan: Testimony 116
Embry, Dennis:
Testimony 174
Prepared statement with summary 175
Samples from the media 202
Feldman, Stanley G.: Testimony 7
Frajoe, Eddie: Testimony 239
Garcia, George F.: Testimony 154
Grijalva, Raul: Testimony 111
Hedtke, Elaine:
Testimony 126
Prepared statement 128
Herbert, Victor:
Testimony 3
Prepared statement 56
Testimony by:
Hernandez, Robert 234
Hernandez, Rosie 237
Honyumptewa, Valerie 241
Jones, Christopher 235
Jordan, Nancy 60
Leal, Steve 119
Lopez, Sophia 58
McKasson, Molly 114
Miller, George 108
Mitchell, Harry E. 49
Morales, Sergio 248
Mullen, Rod:
Testimony 222
Prepared statement 226
Noonan, Dennis W.:
Testimony 213
Prepared statement 216
Testimony by:
Nye, Lora 68
Payne, Coy C 12
Ramerez, Cindy 251
Ramirez, Alice:
Testimony 158
Prepared statement 160
Letter to Senator DeConcini, May 27, 1993 160
Articles from the Arizona Daily Star by:
Carmen Duarte, Feb. 13, 1993 163
Hipolito R. Corella, May 21, 1993 164
Carmen Duarte, Mar. 3, 1993 165
Article from the Tucson Citizen by Rhonda Bodfield-Mandeville, Oct. 15, 1992 166
Location chart of census tracts 167
List of number of offenses, by offense type for each school, May 24, 1993 168
Testimony by:
Richard, Gerald P., II 95
Rios, Ronnie 244
Romero, Enriqueta 219
Romley, Richard M.:
Testimony 18
Prepared statement with supplemental written statement 22
Appendixes:
A—Juvenile Data, Maricopa County, arrests under 18 33
B—Gang related violent incidents continue to rise 35

Page

Romley, Richard M.—Continued
Appendixes—Continued
C—Maricopa County juvenile population and juvenile court referrals . 36
D—Maricopa County juvenile crime clock 43
E—Article from the Juvenile Justice Bulletin, "Study Sheds New Light on Court Careers of Juvenile Offenders," August 1988..... 44
Testimony by:
Roulhac, Rosemarie 63
Sharpe, John 219
Smith, Gary L.:
Testimony 138
Prepared statement with summary 140
Treadwell-Rubin, Pamela:
Testimony 147
Prepared statement 151
Testimony by:
Wheeler, Bruce 118
Wilcox, Mary Rose 15

APPENDIX

Additional Submissions for the Record

Letter to Senator DeConcini from:
Gerald P. Richard II, Esq., special assistant to the police chief, June 2, 1993 255
Prepared statement 256
Franciso A. Islas, June 9, 1993 259
Daniel Zapata, June 1, 1993 260
"Phase II, Operation Permanent Cease-Fire" 261
Shirley Villegas, mayor, May 27, 1993 266
Letter to Father Thomas Rush, from Chuck Jordan, Feb. 26, 1993 267
A copy of a check from Michael D. Bradbury, district attorney, special fund for anti-gang activities, Feb. 5, 1993 268
Statement of:
Cheri Ross-Nostros 269
Shirley Villegas, mayor of South Tucson, AZ, May 27, 1993 274
El Pueblo Neighborhood Center, Tucson, AZ, June 1, 1993 275
Frank O. Romero 278
Pueblo High School, Tucson, AZ, June 2, 1993 280
List of members for the Violence Reduction Coalition in Tucson, AZ 283
Articles from:
The Daily News, by Dennis McCarthy, Tuesday, February 2 284
The L.A. Times, by Jesse Katz, June 4, 1992 285

YOUTH VIOLENCE: A COMMUNITY RESPONSE

TUESDAY, JUNE 1, 1993

U.S. SENATE,
SUBCOMMITTEE ON JUVENILE JUSTICE,
COMMITTEE ON THE JUDICIARY,
Phoenix, AZ.

The subcommittee met, pursuant to notice, at 9:05 a.m., at Phoenix College, 1202 W. Thomas Road, Phoenix, AZ, the Honorable Dennis DeConcini presiding.

Senator DECONCINI. This hearing this morning is sponsored by the Senate Judiciary Committee's Subcommittee on Juvenile Justice, and I am very pleased and thank you all for being here. I will go into an opening statement in just a moment, but I wanted to let the press ask some questions, if they want to, and if they do not, fine.

The purpose of this hearing is to solicit not only what the problem is, which many of us know, but to also raise the awareness of the problem of gangs and violence and use of firearms by young people in our own communities, and also to listen to what works and perhaps what has not worked, and to attempt to see what can be done not only on the local level, but what could be translated into Washington, DC, as to assistance.

This is an epidemic, in my judgment. One out of five high school students now carries either a firearm, a club or a knife to school, and we have 3 million crimes of violence occurring in schools today, and that is one every 8 seconds, somebody has calculated. No longer are our schools a safe haven; they are a dangerous place for our children to attend. The big question is, why has this moved to our schools and what can the communities do about them?

We have some excellent programs here which we are going to talk about today, and one of them is right here at Phoenix College, the Genesis, which I plan to visit this afternoon. I welcome the press, if they want to come to that, and I am sure they would set up interviews and tours any other time, if you cannot make it today.

It is an outstanding program, and there are many more. Plus the community support here of Mothers Against Gangs and other organizations who have come forward to attempt to cleanse their neighborhood of this awful tragedy that is occurring, is of interest to us in Washington, DC, because this is the heart of what is going on. The solution I do not think is in Washington, DC. I think it is right here, and that is what I anticipate uncovering this morning, as we go through these hearings.

(1)

I am not here to talk a lot. I am here to listen, and I am not going to lay back when it is over, if there are things that Washington can be involved in to encourage these programs. So I hope to be able to translate—we have got some violence right here. Are you all right? [Laughter.]

I am sure this college is well insured. With that, I will just open it up to the press, if they have any questions, and then we will take just a minute or 2 break and start with our panels.

QUESTION. Senator, is the condition in Phoenix as serious as in other cities, or is it about the same level, considering we have got a million people in the city? What is the comparison of Phoenix's crime problem with other major cities on the juvenile level?

Senator DECONCINI. I do not know the answer to that, quite frankly. From what I have heard, talking to our law enforcement officials, it ranks very high. How high that is, I cannot tell you it is 10th or 11th or what have you, but it ranks very high, but I do not have that. I know the use of drugs in Arizona is one of the highest. The abuse of drugs and the use of firearms is also high, but I cannot give you that. I would be glad to find that out, and we may find it out today.

QUESTION. Can I do a followup with you?

Senator DECONCINI. Of course.

QUESTION. Is that because Arizona is a border State and prevalent to drug trafficking? Is that one of the reasons?

Senator DECONCINI. A lot of it has to do with that. We have a tremendous amount of drugs coming through our borders, mostly on the ground now, and the confiscations are up over 400 percent just by the Border Patrol over 2 years ago. The drugs are still coming in. Mexico is becoming more of a problem, because the Colombia cartel has truly moved into that country and set up businesses and warehouses. We are working with that government, and I must encourage that government and will on the floor of the Senate later next week, to do more about it. It is really getting out of hand.

Anybody else? Yes?

QUESTION. Can there be with the NRA——

Senator DECONCINI. Are you with the press?

QUESTION. Yes. With NRA and school education, could they join together to teach the students about guns and why they are a harm?

Senator DECONCINI. Well, I sure hope so, and that is one of their national programs and we will hear from the president of that organization today. We have some differences of opinion on the banning of some assault weapons that are showing up in our schools and being used. But I think you will hear from the NRA that one of their positive approaches is education and they are promoting that not just in schools, but in the general public, and they do spend some resources and some effort to do that.

Anybody else? Yes?

QUESTION. Senator, one of the questions I would like to ask, are they going to do anything in the area where there are gangs in the area where they have no activity and no recreation?

Senator DECONCINI. Of course, I think we will hear from witnesses today that will indicate that is the problem, one of the prob-

lems. Having been in South Phoenix a number of times, in my home town of South Tucson, there are a limited number of areas for recreation. As a matter of fact, the job stimulus program that was defeated would have built a large swimming pool in South Tucson, right in the heart of where the biggest gang problem is, and it was termed a pork barrel project and the whole thing was defeated. That would have been open this August. I cannot think of any better investment than to have those kinds of facilities available, so young people can go some place other than pal around with their gangs and covet territory and also destroy property and people.

QUESTION. Are you holding these hearings in other cities?

Senator DECONCINI. Yes, we will be holding a hearing tomorrow at Tucson, the same subject matter, and we will have a roundtable discussion tonight with community leaders in Tucson.

QUESTION. Do you support local curfews for juveniles?

Senator DECONCINI. No, I do not think that is necessary, although I would be certainly open to that. In my judgment, that ought to be a local decision and certainly not a national decision to impose that on communities. I would welcome hearing from our mayors that are here today and other public officials as to whether or not that is a realistic alternative.

Anybody else in the press? Yes, sir?

QUESTION. Good morning, Senator. How are you? Good to see you, first off. There are some people who might say that the problem of youth violence may be cyclical, from the standpoint that they come from an environment where their parents do not have a grip on putting together a proper household. What would you say to someone who would propose programs that would help families with parenting skills and help them out of impoverished situations and help them get back into school? Would you be agreeable to——

Senator DECONCINI. Of course we would, and there are some programs. As a matter of fact, Head Start has a part of that program that deals with the parents, as well as taking the children off the streets after school and preschool. Those are the kinds of programs that the Federal Government can and should be involved in.

There may be programs like the Genesis program here that the Federal Government ought to be involved in, if we can find the resources. I think I can find the resources, without a big problem, because I know where some of the waste and where the excess expenditures are, but that has not come about yet. I hope it will.

QUESTION. A case in point being that the very problems you have with children having children, which led me to bring that point up, you have a lot of teens out there having babies and really not having the tools to teach their own kids.

Senator DECONCINI. I am glad you raised that, because I plan to hold some roundtable discussions that I am going to hear in Phoenix, as I get around the valley, and I am going to do so in Tucson tonight, to listen to community leaders and neighborhood parents who want to talk about what the problems are and what could be helpful, without hundreds of millions of dollars of assistance, and what can work. And I think your suggestion about parenting and helping the people who have to deal with this on a day-to-day basis is very appropriate.

Thank you very much, everyone.

OPENING STATEMENT OF HON. DENNIS DeCONCINI, A U.S. SENATOR FROM THE STATE OF ARIZONA

Senator DECONCINI. The hearing is officially coming to order. The Juvenile Justice subcommittee of the Senate Judiciary Committee is here to gather information in Phoenix, to find and hear about solutions to one of the most disturbing issues in this country, and that is youth violence. Our children are growing up in an environment dominated by violence which pervades their lives. It is in their homes, their schools and their playgrounds. There seems to be no escape. Look at what you are watching on TV tonight, except prior or after the game.

By the time the average child graduates from elementary school, he or she will have witnessed 8,000 murders and more than 100,000 other assorted acts of violence on television. The schools are no better. As I pointed out, one out of every five high school students now carry a firearm, knife or club to school on a regular basis, and nearly 3 million crimes occur on or near school campuses.

We have reached a point where metal detectors are standard in many schools. The streets are even worse. The violence that is glorified on TV is now day-to-day reality. Just read the papers—gangs, drugs and random murders have become the staple of our children's lives. Every major city in this country is facing a deadly gang problem. It is the subculture that has kidnapped our children's generation. Dispute resolutions involve guns today, and drive-by shootings with teenagers brandishing assault weapons are all too common an occurrence.

We can no longer accept the violence. Kids are afraid, teachers are afraid, parents are afraid. I think everybody is afraid. It is time to get to the root of the problem. We have a very serious problem that does not have one single solution.

But to go forward with a plan of action, we have to ask questions, as a society, some very fundamental questions. For example, how did we get here, what are we doing now, and what works and what does not work, and where do we go from here. I hope to have some answers to these questions today. This is a complex issue, with no quick easy solution. It is a problem that deserves the utmost attention and the greatest dedication, and we each have a role in this effort—law enforcement, legislators, courts, community leaders, local government and, most importantly, the parents.

I look forward to hearing today's testimony. We have a wide array of witnesses from all over. I want to thank them in advance for being here. I came here to listen, and when we finish, I intend to hopefully take some of this back to Washington to see what can be done from the Federal Government to assist.

[The prepared statement of Senator DeConcini follows:]

STATEMENT OF SENATOR DENNIS DeCONCINI

THE HEARING WILL COME TO ORDER. THE JUVENILE JUSTICE SUBCOMMITTEE HAS COME TO PHOENIX TO GATHER INFORMATION AND HEAR SOLUTIONS TO ONE OF THE MOST DISTURBING ISSUES IN THIS COUNTRY TODAY -- YOUTH VIOLENCE.

OUR CHILDREN ARE GROWING UP IN AN ENVIRONMENT DOMINATED BY VIOLENCE. IT PERVADES THEIR LIVES -- IT'S IN THEIR HOMES, THEIR SCHOOLS, AND THEIR PLAYGROUNDS.

THERE IS NO ESCAPING IT. LOOK WHAT THEY ARE WATCHING ON T.V.

BY THE TIME THE AVERAGE CHILD GRADUATES FROM ELEMENTARY SCHOOL, SHE OR HE WILL HAVE WITNESSED 8,000 MURDERS AND MORE THAN 100,000 OTHER ASSORTED ACTS OF VIOLENCE ON TELEVISION.

THE SCHOOLS ARE NO BETTER.

ABOUT ONE OUT OF EVERY 5 HIGH SCHOOL STUDENTS NOW CARRIES A FIREARM, KNIFE OR CLUB TO SCHOOL ON A REGULAR BASIS. AND THE RESULT? -- NEARLY 3 MILLION CRIMES OCCUR ON OR NEAR SCHOOL CAMPUSES EACH YEAR -- THAT IS ONE EVERY 6 SECONDS!

WE HAVE REACHED A POINT WHERE METAL DETECTORS ARE STANDARD WARE IN OUR SCHOOLS.

THE STREETS ARE WORSE -- THE VIOLENCE THAT IS GLORIFIED ON T.V. IS NOW A DAY-TO-DAY REALITY FOR CHILDREN.

JUST READ THE PAPER EVERY MORNING.

GANGS, DRUGS AND RANDOM MURDERS HAVE BECOME THE STAPLES OF OUR CHILDREN'S LIVES. EVERY MAJOR CITY IN THIS COUNTRY IS FACING A DEADLY GANG PROBLEM. IT IS A SUBCULTURE THAT HAS KIDNAPPED OUR CHILDREN'S GENERATION. DISPUTE RESOLUTION INVOLVES A GUN. AND DRIVE-BY SHOOTINGS, WITH TEENAGERS BRANDISHING ASSAULT WEAPONS, ARE AN ALL-TOO-COMMON OCCURRENCE.

WE CAN NO LONGER ACCEPT THIS VIOLENCE AS PART OF OUR CULTURE.

KIDS ARE AFRAID. TEACHERS ARE AFRAID. PARENTS ARE AFRAID.

IT IS TIME TO GET AT THE ROOT OF THIS DEADLY VIOLENCE.

WE HAVE A VERY SERIOUS PROBLEM THAT DOES NOT HAVE ONLY ONE SOLUTION. BUT TO GO FORWARD WITH A PLAN-OF-ACTION, WE HAVE TO ASK OURSELVES, AS A SOCIETY, SOME VERY FUNDAMENTAL QUESTIONS. FOR EXAMPLE:

HOW DID WE GET HERE?

WHAT ARE WE DOING NOW?

WHAT WORKS AND WHAT DOESN'T?

WHERE DO WE GO FROM HERE?

I HOPE TO HAVE SOME ANSWERS TO THESE QUESTIONS, TODAY. FOR THIS IS A COMPLEX ISSUE -- WITH NO EASY OR QUICK SOLUTIONS.

IT IS A PROBLEM THAT DESERVES THE UTMOST ATTENTION AND THE GREATEST DEDICATION. AND WE EACH HAVE A ROLE IN THIS EFFORT -- LAW ENFORCEMENT, LEGISLATORS, COURTS, COMMUNITY LEADERS, AND MOST IMPORTANTLY, PARENTS.

I LOOK FORWARD TO HEARING TODAY'S TESTIMONY. WE HAVE A WIDE ARRAY OF WITNESSES FROM ALL WALKS OF LIFE.

I CAME HERE TO LISTEN AND TO LEARN. BUT AFTER WE FINISH TODAY, I DO NOT INTEND TO SIT BACK AND WATCH. THIS PROBLEM CAN NOT CONTINUE TO GROW OUT-OF-CONTROL.

Our first panel is composed of Mary Rose Wilcox, who is a member of the board of supervisors of Maricopa County, and before that a city councilwoman, and a very active community leader.

Mayor Coy Payne, mayor of Chandler. This city has been plagued with the problem of youth violence, and Chandler was one of the cities that recently passed an ordinance to prohibit juveniles from carrying guns. My congratulations, Mayor Payne.

Mayor Harry Mitchell, the mayor of Tempe, has also passed an ordinance prohibiting juveniles from carrying handguns. Mayor Mitchell also provided a different perspective, in that he is also a former high school teacher with first-hand knowledge.

Chief Justice Stanley Feldman is the chief justice of the Supreme Court of Arizona. One of the reasons we asked Chief Justice Feldman to testify today is because he has recently empaneled an advisory committee known as the Commission on Juvenile Justice in Arizona. The committee will evaluate the juvenile justice system, assess the problems confronting it, and recommend improvements.

And County Attorney Richard Romley, of Maricopa County, as the County Attorney, has been very active on the issues of juvenile justice.

We welcome you all. We have some time constraints here and I am going to ask that Chief Justice Feldman go first.

Judge Feldman?

PANEL CONSISTING OF THE HONORABLE STANLEY G. FELDMAN, CHIEF JUSTICE, ARIZONA SUPREME COURT; COY C. PAYNE, MAYOR, CHANDLER, AZ; MARY ROSE WILCOX, SUPERVISOR, MARICOPA COUNTY, AZ; RICHARD ROMLEY, COUNTY ATTORNEY, MARICOPA COUNTY, AZ; AND HARRY E. MITCHELL, MAYOR, TEMPE, AZ

STATEMENT OF HON. STANLEY G. FELDMAN

Justice FELDMAN. Thank you, Senator.

I did not come to make a speech, so I will not. I do have a few remarks on a preliminary basis, if I may. I am not an expert on the causes of juvenile crime, nor is it within my field of supervision, so to speak. I am charged under the Arizona Constitution with administrative supervision over all courts of the State, and that, of course, includes juvenile courts, and the juvenile courts or juvenile justice system are an integral part of this problem and, hopefully, a part of solving the problem.

From our perspective, we see three phenomena, if I may use the term, an ever-increasing number of crimes, an ever-increasing number of significantly serious crimes and violent crimes, and ever-decreasing age of those who are getting involved in the juvenile criminal justice system, and an ever-increasing number of weapons being used. You have referred to all of this in your opening remarks, so I will not go into it any further.

Our problem is when these children get into the juvenile justice system, our problem is what to do with them and how to do it. We have had over the years a lot of success. You know, it is easy to look at how bad the problem is and never realize that we have had a great deal of success to the extent of 80 or 85 percent of the chil-

dren who get into the system have one or two contacts and they have no further contacts with the system.

But the other 20 percent, the other 15 or 20 percent of the children who are repetitive offenders and who get into increasingly more violent and more significant crimes are our real problem, and what to do with them is part of our problem in the court system, especially from the standpoint of having administrative supervision over the courts.

One of the things that afflicts us is finger-pointing, if I may use that term, and I assure you, Senator, there is enough fault and enough blame to go around to every segment of society. In my view, it is time to stop pointing fingers at each other and to sit down with each other and to try and find the common solution or the common approach to these problems.

It is for that reason that I have today signed the order appointing the Commission on Juvenile Justice of Arizona, and it is for that reason that, when I name the membership to that committee, which I plan to do either later this week or early next week, I will include on that membership list people form every viewpoint, people from all parts of the system and try and get everybody to sit down and see if we can find some way to better address the problems.

From my perspective and conclusion, the problems simply boil down to this: We have more and more kids coming into the system. We have on the one hand the necessity of finding a way to address their problems, to treat them, to hope for education, to hope for rehabilitation, to hope for intervention that will change the path which they have taken.

We have, on the other hand, the problem with those for whom nothing seems to work. We have a large number of kids, unfortunately, a growing number of kids—I think Mr. Romley will attest to this—for whom nothing has worked. These children present serious dangers and serious risks to society. Until we can find some way to stop what they are doing, we have to put them in a place where they no longer pose that kind of risk to society.

When we have them out of harm's way and out of the way of doing harm to society, we have to find something to do with them other than simply warehousing them and eventually turning them loose, whether it be 17-year-olds, 18-year-olds or keep them until they are 25, turn them loose and just go on to a bigger and better life of crime. We simply, on humanitarian and on economic grounds, cannot afford to keep them behind bars for the rest of their lives, not when it costs $17,000 to $20,000 a year to keep a person in prison.

So, in summary, we have got to find a way to identify those for whom treatment and rehabilitation stand some chance and to give them what they need. The day of not being willing to spend $1,000 on drug counseling and substance abuse counseling for a kid, but being willing to spent $17,000 a year to keep them in prison for 10 years and then turn them loose with the same substance abuse problem, those days have got to stop. It makes no sense. It is just economically foolish and it is harmful to society.

We also have to find a way in Arizona to stop the revolving door. We have to find a way where those children whom the juvenile

judges have found no longer amenable to treatment and children who pose a risk of harm to society, because of their violent habits, those children have got to be put away and kept way until they either change or we keep them, if they will not change.

But we have got to put them away and we have got to end the system that we now have of having no space for them, where—again, as I think Mr. Romley will agree—you can send the most dangerous person that we have in the juvenile justice system and there is not room for them, the Department of Youth Training and Rehabilitation, and they get out. I cannot fault the administration, because there is no place to put them. They get out in 60 days or 90 days. We are not doing anything for a violent child in 60 or 90 days at the Department of Youth Training and Rehabilitation. So we are going to have to spend the money, both to secure beds and for programs in that institution or in that system.

So what I am saying, I think in the final analysis, Senator, is that nobody I think has the whole answer to this, and we have to stop pretending that any one segment of this system knows all of the answers and has all of the answers to the problem. We have got to get together, the treatment people, the secure people, and get together and find how we can mesh these problem, and finding a way to do that is the reason that I have appointed this commission.

Thank you.

Senator DECONCINI. Thank you, Judge.

You were recently quoted as saying that we have juveniles, but we do not dispense the justice. I think the Arizona Republic quoted you on that. Is that what you are referring to, that we do not have programs? Is that the justice that we are lacking?

Justice FELDMAN. Let me explain what I meant. I was not criticizing the judges and their handling of individual cases. They do the best they can. Sometimes they make mistakes, and one likes to think that the great, great majority of cases are adjudicated correctly.

So it is not the individual cases that I am talking about. I am talking about justice to society on the one hand, the taxpayers of this State who are threatened continually by having kids on the street who do not belong on the street.

I am talking about justice to the juveniles who are in the system who are not many times in many places getting the kind of rehabilitation help, training and education and recreational help that they need. The juvenile justice system is more than just adjudicating the individual case of State v. Jones. It is trying on the one hand to take care of children, help children, prevent them from getting into more serious trouble, and, on the other hand, equally as important, protecting society from children who are a danger to society. We are not doing those things.

I will give you just one anecdotal example. About 8 months ago—I will not identify the county—I was visiting on my rounds of counties and I talked to a juvenile judge of one of our rural counties. He had almost 90 children on one type of program or another, who had been adjudicated as juvenile delinquents and who were either substance abusers or emotionally disturbed or, for the most part, both. I asked what he was doing with those 90 children.

Well, the answer was he was having one psychologist in one afternoon every other Friday for 90 children. I said why are you bothering? He said I have got to cover my tracks as best I can, that is all the money I have, that is all the resources I have. In the meantime, I said where are these kids? He said, well, we have tried to put them back in the families, but the families are the cause of the trouble lots of time. So he said, basically, they are on the street, stealing cars, stealing radios, doing whatever.

We just cannot go on doing this, Senator. That is not justice to society.

Senator DECONCINI. Judge, a couple of quick questions. When will the commission report be forthcoming? Is there a date?

Justice FELDMAN. I am going to ask them to have their report done by the end of this year.

Senator DECONCINI. And that will be made available outside the court system?

Justice FELDMAN. Well, it is going to be made available to the courts, to the legislature, and to the governor's office. I hope to have all three branches of government cooperating and I hope to get, and expect to get and think I will, help from the prosecutorial agencies, help from all branches of the juvenile justice system.

Senator DECONCINI. Judge, it may be premature, because the report certainly will have a lot to do with this, but you talk about the juveniles that have to be put away, and we know there are some. Is there merit in treating some of them as adults, so that they can be put away? That is one of the big cries you hear, when you see a violent crime by a juvenile, treat them as an adult, and I know the court has the authority to do that in certain cases. Do you have an opinion?

Justice FELDMAN. Sure, I have an opinion. Some of them need to be treated as an adult, and I reviewed the statistics recently about the transfers from juvenile prosecutions, so to speak, to adult prosecutions. Surprisingly—and I say surprisingly, because there has been a lot of speculation about it—surprisingly, I think those statistics will show that most of the children who need to be prosecuted as adults are being prosecuted as adults. There are probably some that we have made mistakes on, and there will be others in the future, no matter how many commissions I have, no question about that, because it is as very delicate subjective decision.

But the problem to me is not should we treat them as adults or should we treat them as hoodlums. It does not make a lot of difference, Senator, if you have a 14-year-old and you prosecute them in this courtroom which has a label on it that says juvenile court, or in this courtroom which has as label located on a different street in the same city and has a label adult court. The question is what you are going to do with them after you prosecute them.

Senator DECONCINI. Of course, but I thought your point was that if they are treated as juveniles, there is no place for them. Maybe there is no place for them as adults, either, but there are long-term prisons more than there are long-term juvenile centers.

Justice FELDMAN. We have very few, and for females we have none. We have very few facilities in this State for handling children 14-, 15-, 16-year-olds who have been prosecuted and sentenced as adults. There is literally, with girls, there is no place to put

them, none, no place in Arizona, unless you are going to mix them in the general prison population, which will present terrible problems down the road when they get out.

And as far as males, the facilities are generously described as very limited. So the question is, if you are going to treat them as adults——

Senator DECONCINI. So if you treat them as adults and convict them, you do not go into the main population of the prison population?

Justice FELDMAN. Senator, you have been a county attorney and I do not need to explain to you about putting a 14- or 15-year-old in with the general prison population.

Senator DECONCINI. And that is why you cannot draw that conclusion, that if you treat them as adults, they are going to go to Florence or some adult prison.

Justice FELDMAN. If you treat them as adults and prosecute them as adults, then (a) if you are going to incarcerate them, put them in prison afterwards, what are you going to do them when they are prison, (b) a lot of them will be on probation simply because there is really no good place to put them in prison.

If you treat them as adults, you have all of the problems that we have with the adult prison population, and, God knows, we do not do a very good job with that. So the problem with kids is not which courtroom, but what you do with them when you have them, and that is where we are falling down.

Senator DECONCINI. Have you expressed any view, Judge, or maybe you are going to wait for the commission, on drug treatment and counseling on demand, where anybody would be entitled to it certainly that is in the system?

Justice FELDMAN. I do not have enough background in that to really give you an answer that I would feel comfortable with.

Senator DECONCINI. It is very expensive and the Federal Government has been looking at it for a couple of years. You know, we are building a space station and B-2 bombers, and we cannot seem to deal with the drug problem by making treatment available. We know in this community and in our home towns, yours and mine in Tucson, there are some very good programs, but there's a 6 month or a year waiting period to get into them.

Justice FELDMAN. Well, I think—and now I am just talking as any citizen who reads the newspapers and has friends who have had problems or had children who have had problems—I think there are some programs that have had some success, quite a bit of success. There is not only a waiting list to get into them, but, unfortunately, many of them have closed down for lack of available funds to pay the bills.

Again, we come back to it and it seems this society is willing to spend $15,000 to $20,000 a year to keep a substance abuser in prison for 5 or 10 years and then send them out as a substance abuser, but not willing to spend $1,000 a year to see if we can intervene and get him or her off of the substance that they are abusing. How successful those programs are, I do not know, but it sure is worth a chance, in my mind.

Senator DECONCINI. Judge Feldman, thank you very much for taking the time.

Justice FELDMAN. Thank you.

Senator DECONCINI. We look forward to your commission report, and we appreciate your time. I know you have to get back to the court.

Mayor Payne, I understand you have another pressing engagement, as I am sure the other members do, too, but we will hear from you at this time, Mayor.

STATEMENT OF MAYOR PAYNE

Mayor PAYNE. Thank you, Senator.

I am really pleased to be here this morning to testify on behalf of the City of Chandler. You know, we have got to a point in the City of Chandler where a neighborhood that I grew up in was really a little bit fearful when I went into that community, because of what was going on as far as violent crime is concerned.

Because of that, we started to discuss what we might do as a body of elected officials, the mayor and city council of the city, to curtail some of the violent activity that was going on in the community.

One of the things that came to our attention real early in our discussion was an ordinance that would perhaps prohibit young people from carrying firearms. We also had looked at other cities in the area; Glendale, Scottsdale, Phoenix, Tempe, that have ordinances on the books that prohibited you from carrying firearms.

We looked at those and then we decided that this would probably be the best method for Chandler to use, because we wanted to be in sync with the other communities in the metro area, as well as we wanted to send a message to those who were perpetrators of violent crime that Chandler was not going to be sitting out there alone and not having anything to do with what was going on and ignoring the possibility of crime coming to the City of Chandler.

We as the counsel enacted an ordinance, after looking at it for a 3-year period of time. From 1989 to 1992, the total number of juveniles referred to juvenile court on a variety of charges increased from 1,355 to 1,526. This was an increase of 12 percent, and that was appalling as far as we were concerned.

During the same time period, the number of juveniles arrested for illegal possession of firearms increased from 12 to 22, an increase of 87 percent. Possession of firearms was becoming more common, especially amongst street gang members. Now, a lot of these are want-to-be gang members, but at that time we were classing them as gang members, just the same.

The juvenile gun ordinance was adopted to help the police seize these weapons, when other law enforcement could not do so or where other firearm ordinances did not apply. In doing this, we were able to say to the community that, yes, we are aware of what is going on in the community as far as violent crime is concerned as it relates to the possession of firearms, and we created this ordinance. It is nothing more than other cities have done, but something to say or sent the message that Chandler was not going to sit idly by and watch the firearms proliferate in our community.

We also had the support of our school districts, very much so, and like Mayor Mitchell of Tempe, I am a product of the Cooper

School system. I spent my professional life in education. I taught for 15 years and also was in administration for 15 years, and I was at a junior high school and my last assignment was at a junior high school. Being the vice principal of a junior high school, I was in charge of discipline, and discipline entailed dealing with youngsters who had problems as far as crime and other areas that they were involved in as far as being outside the law. So I have a pretty good knowledge of what goes in our community as far as youth are concerned.

We have some programs in our community as far as the city is concerned that have been really targeting the youth who fall outside of the law. We use some of our CBDG funding moneys to really create programs, to help prevent youngsters from falling through the so-called cracks and getting involved in crime.

One of the things that we have done is a summer school program that we have. It is called Kids at Risk Program, where it is a 3-way funded program, the private sector, public sector and the school district. Of course, these are all in the city, working together to provide funding for this program so that youngsters who are out of school, say, June 2nd, June 3rd, they have a place to go and they don't have an opportunity to regress from what they had learned the prior year through the summer.

This program has worked very well for us. We have young people today, as a result of that program, who stay in school longer, when we look at the high school dropout rate that we had prior to working in this kind of a program, it has diminished, so we look at it as a success.

Let me say this, Senator: I believe in prevention and intervention-type programs. I do not like to see us wait until the youngster has gotten involved—and, believe you me, and I think you probably know and all us probably know that young people today are accessing the court system at a younger age. They get into problems earlier in life, and we need to do something on a preventive basis.

So we have tried to involve the families of the youngsters who are prone to get into juvenile delinquency problems. In so doing, we have used some community block grant funds to look at our housing program in the City of Chandler, and through the housing program, the public housing program, we have set aside some funds to set up centers where youngsters can be involved in the evenings, after school, they can also have some time in mornings or on the weekends.

The Boys and Girls Club in the City of Chandler is an agency that is really working and doing wonders, as far as helping those youngsters to relate to the community in a more positive way. So we are continuing to do those kinds of things.

But the gun ordinance that we have certainly is a help to us, because it puts the responsibility where I think it ought to be, and that is on the backs of the parents. Youngsters cannot carry a gun in the City of Chandler without parental permission. This parental permission has to be a signed note indicating that the parent is consenting that that youngster has the weapon. It is a notarized signature saying that the parent is no coerced, cannot be coerced into signing it, so that we circumvent the youngster getting a gun in his hand without the knowledge of the parent. I think this is a

key to our ordinance, and so far I think it is working quite well with us.

Violent crime as far as firearms are concerned have diminished somewhat since we enacted that ordinance. We have a more peaceful and quieter community as a result of that. The areas that I described previously are much more peaceful than they were before the gun ordinance. I think the message is out there. We will continue to do what is necessary to make sure that parents understand the significance of their being involved, because there is a penalty that they do have to pay, if they allow that youngster to move into the community with a firearm and they did not give him permission to do that.

So we are happy today to be here to express Chandler's concerns, and I hope that as a result of what we do here today, we will have a more community awareness at the level where it will do the most good, and that is in the trenches down at the local level, where Mayor Mitchell and I serve.

Thank you.

Senator DECONCINI. Thank you, Mayor.

I take it the ordinance provides a penalty for the parent, if they fail to give permission and know that the child has it, and then there is a penalty for the child?

Mayor PAYNE. There is a penalty for the parent of the child who is caught with a weapon and he does not have the parent's authorization.

Senator DECONCINI. And then is there a penalty for the child, as well?

Mayor PAYNE. The penalty for the child is that the parent is then going to have to enact some measures on that child, to make sure that this does not happen.

Senator DECONCINI. And confiscation of the weapon is one of the penalties?

Mayor PAYNE. Yes.

Senator DECONCINI. Have there been any imposition of the penalties of the ordinance?

Mayor PAYNE. We have not had to impose any penalties on any parent yet. We are hoping that we do not have to. I think that what has happened is what is expected to happen, is that parents are saying, well, they have an ordinance, I do not want to be faced with the consequences of that ordinance, so I am going to make sure that Johnny does not have that weapon, I am not going to give permission for him to have that weapon.

Senator DECONCINI. You have witnessed less weapons?

Mayor PAYNE. Less weapons, yes.

Senator DECONCINI. There is no question about that?

Mayor PAYNE. No question about that.

Senator DECONCINI. Mayor, recently I introduced legislation for the second time, which passed the Senate last year, that would prohibit the manufacture and sale of some 14 semi-automatic assault weapons. I have never said that this is a complete solution, and I built in it a time period to see whether or not it works. Do you have an opinion on whether or not the banning of assault weapons would be advantageous to your community?

Mayor PAYNE. Senator, when I hear reports of an Uzi being used in a neighborhood or an assault rifle or a weapon of some type being used in a neighborhood, I have no doubt in my mind that what you have done definitely is a curtailment as far as those kinds of weapons, and that they should be curtailed, because those weapons have no place in a community with small children or families, as Chandler prides itself as being a family oriented community, and certainly we do not want those types of weapons. And we will take the steps, along with you and any other agencies that want to help curtail the use of those weapons or the bringing of those weapons into our communities. They are detrimental. They are violent. They will kill, and we do not want that happening on our streets.

Senator DECONCINI. Thank you, Mayor.

Mary Rose Wilcox, you may please proceed.

STATEMENT OF MARY ROSE WILCOX

Ms. WILCOX. Thank you, Senator DeConcini.

I am glad to be here this morning, particularly with this panel who have been in the trenches. I want to thank you for empaneling us and many, many more people from the community to whom you will listen today. I want to thank you for listening to our ideas and, most importantly, for taking them back to Washington. I know when you do that, we will see some action.

I would also like to digress just a minute and thank you for your continued interest you have shown over the years in the fight against drugs. This is one of the things I think that lies at the bottom of some of the violent crime problems, and your leadership and being in the forefront is well appreciated by our State.

I would like to speak today on five topics, and what I will try to do, I am very familiar with this problem, as I rule the city council and as Maricopa County Supervisor. I have worked with many community groups, so I have tried to pick out five things that I thought I could talk about and perhaps lead toward resolution.

First of all, the review of State and Federal legislation dealing with firearms, you have stated that you have introduced again a ban of assault rifles, and I totally support that. I feel that assault rifles are only there to kill people, and they have no place. But I feel a review of the State and Federal legislation dealing it will help people come to grips with this problem that we have.

We know that there are certain factions in our society who believe that the right to bear arms should be a right over all, and we have to come to grips with the fact that we are an urban society and we must look at laws and how they can adjust to that urban factor. I think it is very, very important, and when we see the amount of drive-by killings, when we see the amount of innocent bystanders who are being killed on the streets, we must do something to address all gun laws.

I do not want to sound like an extremist, but I truly believe that all urban areas are coming to the same kind of conclusion, that if we do not make it harder to purchase, harder to obtain weapons, we are going to be in for a nightmare.

The second issue is expansion of youth restitution program aimed at at-risk youth who commit violent acts. Many, many youth—and I think Judge Feldman addressed this—are going into our systems and many of them are mocking it. They do not feel that they will be punished for violent acts, that they can get back on the street in a matter of days.

We must have certain punishment for violent acts, and we must combine that with a heavy restitution program. They must be made to pay in our society, whether it is assisting the victims' families or whether it is assisting governmental entities carrying out programs. But I believe that a strong restitution part of juvenile justice is very much needed, and I will hopefully be working with Judge Feldman on that issue.

The third is increased important preventive and educational programs aimed at youth and their families, with the aim of trending them away from violence. Senator DeConcini, this is extremely important. We have a lot of good prevention programs out there and education. You have named a few.

Genesis, midnight basketball leagues, dealing with recreational outlets for youth—we have many, many programs which happened over the last 2 decades. As you well know, we have been fairly stripped of all funding for these programs that could stem the tide of violence. I believe that is part of the problem. We offer our youth no alternatives, except to go on the street, no jobs except to go on the street and get involved in the drug trade, and many, many of them, not all of them, but many of them turn to this.

I think the preventive and educational programs must be funded and we must do it at the level that we will affect youth in our communities from entering any crime life or any violent activities.

My fourth point, the implementation of a national full employment program: Many youth in our society are coming from families that need assistance. In these economic times, there are two-parent families working. Many, many families only have one parent that are working, and youth need to assist.

Many of them are in the drug trade, because they do not have any money coming into the household, and they want just the bare necessities that our youth feel they need today. They see it on TV. They want to purchase all of these walkmans and everything else they need, and I really think the implementation of a national full employment program dealing with summer youth and after-school youth would be tremendously important.

When people go to work, especially youth, it helps them obtain values for later in life. It helps them get discipline. It also helps many, many families augment that income that they need, and it keeps our kids busy. I am a strong believer that you keep kids busy, you keep them out of trouble.

Fifth, I would like to ask you, Senator DeConcini, to join me, as you did, in the Governmental Task Force for Games. When we formed that 3 years ago, what we did was bring together all of the law enforcement agencies and we attacked the enforcement element of dealing with gangs, and it was very, very successful. When you brought people together, we organized and we had meetings afterwards where all of the governmental agencies involved, i.e., law enforcement from DPS at the State level, to the county sheriff

to the cities, said this worked. What we are doing now is being able to put our youth, those that are committing violent acts were able to identify, target them and deal with it.

What we need now is the same kind of task force dealing with intervention and prevention. Judge Feldman's committee is going to deal with what are the problems, what are some of the things that can help. But we need to organize ourselves so that those programs are out there working. Those that are intervening and are causing preventive-type programs to exist are known in our community. And I think we have to be very brutal in it. I think we have to say this works, this does not, just organize our resources.

I know it is very easy to say let's put more money into a system, but maybe what we need to do is find out what is out there, who is coordinating with each other, how can we coordinate better, and how can we get rid of programs that are not working and use those that are working, such as Genesis, such as intense recreation programs. County Attorney Romley has been of immense help in turning some of those RICO funds into programs that have helped.

We need this Task Force on Intervention and Prevention to organize in a more coordinated manner with nonprofits and governmental entities as to what is working out there and what is not. So I would ask you to join me in that.

In conclusion, Senator, I would only like to say we must remember that the goals of social prevention and intervention in improved organizational programs and services within the community need to be addressed. They work, and if we are to solve this problem and not lose our children, we must become the powerful force needed to rescue our children through coordinating each other.

Thank you.

Senator DECONCINI. Thank you, Ms. Wilcox.

The task force idea is very interesting. This task force would make an assessment of what programs do work and have worked and which ones ought to be prioritized for funding, is that correct?

Ms. WILCOX. That is correct.

Senator DECONCINI. Nobody does that now?

Ms. WILCOX. It is being done, but not in a magnitude it should be. I would like to do it in Maricopa County with your assistance and pull together all jurisdictions from Tempe to Phoenix to Chandler to nonprofits.

Senator DECONCINI. So there is no central collection now of even what programs are there?

Ms. WILCOX. There is not. We have an information referral system, but it does not really analyze the program. Again, it is going to be very hard to do, because you are stepping on a lot of territory. But I think we have to be very brutal, if we are going to help our children in assessing them.

Senator DECONCINI. I could not agree more, and I would welcome an opportunity to work with you on that.

A prominent law enforcement officer in Tucson recently was quoted as saying that assault weapons and other guns are so available in the Tucson metropolitan area, that it is almost as easy for a youth to get a gun, including assault weapons, as it is ice cream. In your experience in Maricopa County, having worked in the neighborhoods and the city council, do you think it is that easy, as well?

Ms. WILCOX. Senator, I do. I have seen many, many youth who are being stopped by gang squads that we have during the summertime, you open up their trunks and you see assault rifles. How did they get them? It is ridiculously easy to obtain them. We have many, many people involved with that trade who will go ahead and trade these for a low amount of money to our youth, and the amount of gunshots you hear in our community at night, you can have neighbors testify throughout this hearing that those gunshots are not just a one-caliber single gun. They are assault rifles with——

Senator DECONCINI. Semi-automatic?

Ms. WILCOX. Yes, they are. In riding with the gang squads throughout my tenure as a city council person, I saw so many young adults and youth with assault rifles, that you have to question why are these available and how are they obtaining them so easily.

Senator DECONCINI. Having ridden with those assault gang teams myself, you hear those guns going off and, by the time you get there, nobody is there, or at least not the people who are perpetrating it.

Thank you, Ms. Wilcox, very much for your testimony.

Ms. WILCOX. Thank you very much.

Senator DECONCINI. Mr. Romley?

I just want the Mayor to know I am saving the best for last. [Laughter.]

STATEMENT OF RICHARD M. ROMLEY

Mr. ROMLEY. Good morning, Senator. Thank you for this opportunity to speak with you today, as Maricopa County Attorney, on my views regarding the increased violence that we are seeing by the juveniles of Maricopa County.

With your permission, I have some written oral comments that I have incorporated with my written comments, as well, and I am going to disregard those, because having heard the comments here, I think it would be perhaps a bit more productive to give you a perception and a viewpoint perhaps a little bit more full-bodied.

Senator DECONCINI. We will be glad, Mr. Romley, to include your written statement in the record.

Mr. ROMLEY. Thank you.

As Maricopa County Attorney, I have had an opportunity to view the juvenile justice system for a very long period of time. Without a doubt, you should be commended for bringing together this committee to look at this particular problem, because it is an epidemic that is facing all of us.

In 1992, we had 1,425 arrests of juveniles for violent crimes in Maricopa County. In Maricopa, that very same year, we had a violent crime occur every 6 hours and 9 minutes or every 12 days and 14 hours a murder is committed by a juvenile. This statistic alone represents an increase in juvenile homicide since 1987 of 314 percent.

The issue you are trying to breach today is very difficult and it is not simplistic, and I would like to offer a viewpoint that perhaps

addresses both the short-term and the long-term resolution to some of these issues.

From the short-term perspective, I think that all of us, as elected officials, must recognize that we have a primary concern of protecting the public. The public safety is a paramount issue. To that, we must get a grasp and make a decision on what do we do with certain juveniles that could be in the juvenile justice system and continually come in and out of the juvenile justice system, as Justice Feldman said. He is absolutely correct, they view it as a revolving door and they believe, as Mary Rose said, that there is absolutely no sanctions at all. The violence, that tends to promote violence in and of itself, because they believe that there is absolutely no sanction there.

To that, I think the best way to approach this is perhaps a three-pronged approach to the juvenile justice system. As I indicated, the very first prong is to decide what to do with those individuals that are violent and are continually committing a tremendous amount of crime.

The juvenile justice system, the philosophy behind it is rehabilitation, that we must not give up on our youth, that we must look to them as our future, and with that I agree 100 percent. And I am not willing to give up on our children easily, nor take it lightly.

However, I am not so idealistic as to believe that all juveniles belong in the juvenile justice system. We cannot make a blanket statement that all of them should be in there, for what happens at that point in time is if you continually keep the violent repetitive offenders in there, we spend our limited dollars on those individuals because of the protection of the community and so forth, thus not getting to the full cause of the issue.

Therefore, I believe that we need to take a different look at the juvenile and violent offenders and move them into the adult court system. I have seen that work. Perhaps one of the most meaningful points that can be made is that all too often when a juvenile is transferred into the adult court system, they are hit very strongly, saying why. All of a sudden there is a meaningful accountability here.

What perhaps is misguided and not understood is that the adult court system also has a tremendous amount of resources that can handle these individuals and yet protect the public, as well. Maricopa County was recognized in Florida for perhaps being a national model in intermediate sanctions. We have more and more programs in Maricopa County that address many of these different issues. Yet, if they are violent, we can take them and put them within a system that will protect the public. That must be our number one priority.

Second, once we have perhaps, as you might call it, plans for the juvenile justice system, you have created a system of juveniles that is the most amenable for rehabilitation. Then we must look at how do we perform our job in the juvenile justice system and rehabilitate.

I believe that at this point in time we spend our money inappropriately. We will never have enough dollars to be able to handle the system as all of us would like it to be handled. I think we need to spend it more wisely. By way of example, we tend to spend our

money, as I indicated earlier, at the back end of the system with those individuals that commit continual crimes or very violent in the prison setting and so forth. I believe that we need to create a philosophical shift, that we make a commitment to the front-end processing.

The sooner we can have an impact upon those juveniles, the greater the likelihood that we are going to have a meaningful impact, and I would like to point out—and this is in my written materials—that a recent study was performed by Howard Snyder, with the National Center for Juvenile Justice, in 1988, and if I could just read the implications of his findings.

He concludes:

> The volume of youth who enter a court restricts both the quantity and quality of attention that can be given. It is, therefore, essential that a court's limited resources be efficiently expended in that youth who need the discipline and/or the guidance the court can deliver be identified as quickly as possible.

Most importantly, the finding that he used referred to:

> A court a second time before the age of 16 could with a high degree of certainty be considered a chronic offender implies that the court should not wait until the youth has returned for the fourth or fifth time before taking strong actions. Most of these youths will cycle through the courts with dispositional alternatives, consuming more and more resources. Greater expenditures in a career should concern a youth's law violating career, should reduce future workloads and should provide greater protection to the community.

Basically, in conclusion, what he is saying there is that money should be spent at the very front-end of the process. I am not saying that we shouldn't do it at the back-end, but the philosophy should be at the very front-end intervention, and I support most of the comments that were stated here. I believe that you need to involve the family, increase the court's ability to have family counseling for those types of individuals.

Quite honestly, as I testified at the Arizona legislature, by the time they reach the juvenile justice system, you are on the downward slope. Actually, you need to be putting more resources, as Mary Rose has indicated, even before they come into the juvenile justice system, and I strongly support that.

Third, and I think this is going to be perhaps one of the more difficult areas in the prong, once we have a good system to work within, we have a philosophy to do more at the front end, I believe that the third is to look at programs that currently exist within the juvenile justice system and the treatment of rehabilitation.

Maricopa County, as of this date, has never had a program performance audit done on any of the treatment programs, and literally millions and millions of dollars are expended every single year. We do not know what works, how well it works and where we should be spending our limited dollars.

This could be very important on your part, Senator, in that perhaps some guidance from the Federal level. The question is always asked where is there a model, what programs work, and those types of things. If future funding comes our way, which I believe that you will perhaps help carry out through Congress, I would ask that you put in there a criteria for evaluations of those particular programs.

We are going to be going through that in Arizona. The courts have recognized that that is perhaps a shortcoming at this point in time. But we must spend our dollars more wisely and determine which programs work, which programs must work, and we must have the political strength to be able to say, no, you have not met the criteria, and get rid of those and begin spending our dollars more wisely.

That concludes my comments as to how I believe the juvenile justice system need this basic reform. I cannot overemphasize that right now we must do something on a short-term solution to address the immediate violence that we are seeing. I know that it is a very difficult and controversial issue that is facing all of us, but the community should expect no less.

Quite honestly, I am just fed up with the violence and I think that the community is fed up with it. We must take a strong stand and say that this will not be tolerated, and I hope that with your committee meeting here today, that statement will go out very strong.

[Mr. Romley submitted the following:]

Prepared Statement of Richard M. Romley

Thank you very much for giving me the opportunity as Maricopa County Attorney to present my views regarding the increasing incidence of violent juvenile crime plaguing our community and the inadequacies of the Juvenile Justice System to deal with this situation.

Recently our community has been subjected to an explosion of violent crime. In large part these violent offenses are committed by juveniles who often times without remorse maim and kill. Sociologists and psychologists no doubt can provide us with numerous reasons explaining the root causes of criminal activity. While we all recognize that in many cases poverty, the disintegration of the family structure, the substitution of gang relationships for family relationships, dependency on drugs, and child abuse all contribute to the high incidence of juvenile crime. We also must realize that solutions to these problems while absolutely necessary are long term in nature. The reality is that we all face an immediate crisis which demands an immediate solution. Juvenile crime is epidemic. With increasing frequency, more of us have become victims of drive-by shootings, street gang wars, senseless killings and just plain terror by teenagers who have become hardened criminals. The right to feel safe in our homes, our work place and our streets is under attack.

This trend is not unique to Arizona. The national nature of this problem is underscored by the fact that the United States Senate is now holding these very hearings. As the chief prosecutor of the largest metropolitan district in Arizona, I welcome and applaud the efforts of your subcommittee to assist in finding solutions to this problem.

We in Maricopa County have been subjected to an explosion of juvenile crime. Drive-by and retribution killings are becoming

more and more frequent. National and International attention has been focused on Arizona as a result of the horrible execution style killing of nine individuals including 6 Buddhist monks at the Buddhist Temple. These murders, according to one of the seventeen year old killers were carried out cold bloodedly so as to remove "all witnesses" to an attempted robbery. The Buddhist Temple murders while arousing International outrage, has merely highlighted an ever increasing wave of lawlessness by weapon wielding juveniles. This trend must be stopped and it will be. New strategies by law enforcement, government and the community are called for. Arizona is fed up; I'm fed up. As Maricopa County Attorney I intend to work with the community, other law enforcement officials, the legislature, and the courts to fashion solutions to this explosion of violent crime.

Unfortunately, at the same time that violent juvenile crime is increasing our juvenile justice system is failing. We are neither providing appropriate opportunities for rehabilitation and education to those juveniles who would benefit nor are we adequately protecting the public from those repetitive offender juveniles, who by the age of 16 or 17 years old, have evidenced such anti-social behavior that they pose a threat to us all. We must recognize that all juvenile offenders are not the same. There is a significant difference between the 14 year old who steals a car in order to take a joy ride or joins his peers in relatively minor criminal activity and the repetitive offender who has had the benefit of all that the Juvenile Justice System can offer and nevertheless continues a life of crime culminating in violent activity. In 1992 there were 1,425 arrests of juveniles for violent crime in Maricopa County. That same year, a violent crime committed by a juvenile occurred every six hours nine minutes. Every 12 days, 14 hours a murder is committed by a juvenile. This statistic alone represents an increase of juvenile homicides since 1987 of 314 percent.

of us to provide rehabilitative programs and education so as to assist juvenile offenders. It is clear however, that with regard

Some say that all that is needed is more resources and more programs. I disagree; money alone is not the answer. My observations of the Juvenile Justice System over many years as a prosecutor, and now as a County Attorney, have led me to conclude that, although a laudable goal, the principle claim of the Juvenile Justice System

> - - - that, given enough resources (money) and enough time, they can "cure" (rehabilitate) anyone, or at least almost anyone,

is neither realistic nor achievable. This attitude causes the Juvenile Justice System to always try program after program and, despite the expenditure of slightly over 8.7 million dollars for treatment in Maricopa County, the Juvenile Court asks for a blank checkbook to create more programs rather than facing up to the real issue. They should decide who truly belongs in the system.

What is needed is a good dose of reality. The reality is that our limited resources are being misspent and misplaced. Instead of concentrating our efforts on helping those juveniles who can benefit from our help, we concentrate an inordinate amount of resources on hardened juvenile criminals who use the system as a revolving door, going in and out over and over again. What is needed is a commitment to place the limited resources available at the front end of the system when the first time offender can be most helped. To continue to dissipate the resources available on repetitive offenders who at the age of 16 and 17 years old commit adult crimes again and again is futile.

I have suggested that it is time to recognize that crimes committed by 16 and 17 year old juveniles who have had numerous contacts with the juvenile justice system and who use deadly weapons causing horrible results should not be continued within the juvenile justice system but should be transferred to adult court and treated and punished as adults. This community deserves this protection.

As Maricopa County Attorney my primary focus must be on protection of the public. I also recognize the obligation of all to those juverile offenders who present a danger to the community, we must confront the issues of how best to protect the public. It must be recognized that we have an obligation not only to protect ourselves, but also to protect those placed in our care. There can be no higher priority then that of government protecting its citizens.

Recognizing that law enforcement does not have all the answers, it is imperative that the government and the citizenry at large participate along with law enforcement in this effort to find solutions to this serious problem. Without such solutions our quality of life will be compromised and we will be failing not only ourselves but our children.

Thank you again for affording me this opportunity to appear. I would be happy to answer any questions at this time.

WRITTEN STATEMENT OF RICHARD M. ROMLEY

The rise in violence in Maricopa County is well documented (see Appendix A). To highlight some of these statistics, I submit the following based on the National Crime Report Criteria:

1. arrests for juveniles (persons under the age of eighteen) committing violent crimes in Maricopa County rose from 704 in 1982 to 1,425 in 1992,

2. by the end of 1992, Juvenile Violent Crime in Maricopa County had increased more than 74% since 1988,

3. juvenile Violent Crime had increased eight times faster than the growth in the county's population during this period of time, and

4. the impact to my office during this period is that the total juvenile offenses submitted to review for filing had risen 30%.

Aggravating the issue of violence is the increased presence of gangs in Maricopa County. Last year in Phoenix alone, gang related violent incidents increased from 881 in 1991 to 918 in 1992 (see Appendix B). The Arizona Department of Public Safety estimates that there are approximately 783 gangs statewide with about 9,000 members. Of these, the Maricopa County metropolitan area alone has 449 gangs with at least 50% of the documented members and at least 40% of those being juveniles. Just in Phoenix, it has been estimated that there are approximately 130 gangs with a documented membership of over 3,000 as compared to an estimate of 35 gangs with a membership of approximately 500 in the late 1970's.

Using the Maricopa County Juvenile Court's statistics and their criteria or definition of violent offenses, which is more extensive than the National Crime Report, (see Appendix C), the following observations during the last six years are also indicative of an epidemic of juvenile violence:

1. the number of juvenile referrals to Maricopa County Juvenile Court rose from 24,767 in 1987 to 27,624 in 1992,

2. the number of violent referrals committed by juveniles increased from 881 in 1987 to 1,895 in 1992,

3. despite a significant drop in the number of referrals to the Maricopa County Juvenile Court, the last two years (there were 29,031 referrals in 1990 which dropped to 28,438 referrals in 1991 and again dropped to 27,624 referrals) there has been a steady increase in the number of violent referrals until 1991 when a minor decrease (38 referrals) occurred in 1992. Yet, despite the decrease, the percentage of violent referrals to total referrals has steadily increased including the years of 1991 and 1992 when this minor drop occurred, and

4. although statistics are not maintained for the number of violent petitions for delinquency actually filed, a conservative estimate would be that if 50% of the violent referrals were filed, it would only result in 23% of violent juvenile offenders in Maricopa County being transferred to the adult criminal justice system in 1992 despite the fact that this was the highest number transferred since 1987.

Against this backdrop as well as my observations of the Juvenile Justice System over many years as a prosecutor, and now as a County Attorney, have led me to conclude that, although a laudable goal, the principle claim of the Juvenile Justice System

> - - - that, given enough resources (money) and enough time, they can "cure" (rehabilitate) anyone, or at least almost anyone,

is neither realistic nor achievable. This attitude causes the Juvenile Justice System to always try program after program and, despite the expenditure of slightly over 8.7 million dollars for treatment in Maricopa County, the Juvenile Court asks for a blank checkbook to create more programs rather than facing up to the real issue. They should decide who truly belongs in the system.

It is important to note that the 1972 Wolfgang study which concluded that juveniles with five or more police contacts are chronic offenders and most likely to recidivate was refuted by Howard Snyder from the National Center for Juvenile Justice in 1988. He states that the implication of his findings is that,

74-122 O - 94 - 2

> "First, the recidivism probabilities of many youth who come before the juvenile court for only the second time are very high - at the chronic offender level. If a court knows that it is likely to handle a youth again and again, the court should not delay in providing interventions and imposing sanctions. Dispositions in many court systems progress in severity and cost in small steps. However, if a court adopts the position early in a career that a youth is likely to continue the law-violating behavior and to consume much more court time and resources, the progression of court's responses could be accelerated."

and concludes that,

> "The volume of youth who enter a court restricts both the quantity and quality of attention that can be given. It is, therefore, essential that a court's limited resources be efficiently expended in that youth who need the discipline and/or the guidance the court can deliver be identified as quickly as possible.
>
> . . . . Most importantly, the finding that a youth referred to court for a second time before the age of sixteen could, with a high degree of certainty, be considered a chronic offender implies that the courts should not wait until the youth has returned for the fourth or fifth time before taking strong action. Most of these youth will cycle through the court's dispositional alternatives, consuming more and more resources. Greater expenditures earlier in a career should shorten a youth's law-violating career, should reduce future court workloads, and should provide greater protection to the community."

Despite this research and a wealth of literature to the contrary, experience has shown that the Maricopa County Juvenile Court and the Department of Youth Treatment and Rehabilitation continue to expend the vast majority of their limited resources on the older juveniles who are either the most chronic or the most violent. These are the juveniles who are least likely to be amenable to treatment.

This has caused the public to lose confidence with the system and victims do not feel protected. Like the juveniles themselves, they feel the system is a joke and, given the recent rise in violence being committed by juveniles, the taxpayers are outraged.

It is common knowledge that serious juvenile offenders quickly learn to manipulate the system and commit offense after offense.

When the patience of the judge runs out and a transfer is ordered, the juvenile is shocked to find out that something "significant" will finally happen to him. Further, unlimited treatment opportunities fail to provide any incentive for a juvenile to modify his behavior.

As the chief law enforcement officer of Maricopa County, I am fully aware of the prosecutor's responsibility and duty to provide for the public safety and firmly believe that the long term interest of public safety is better served through the treatment and rehabilitation of juveniles. Simply stated, if successful, we eliminate adult crime.

Also critical to juvenile justice reform is the continued funding of the Department of Youth Treatment and Rehabilitation. As Johnson v. Upchurch has correctly pointed out, Arizona's youth corrections system was a system in neglect that offers, even today, little if any rehabilitative services. It is only the possibility that future criminal conduct might be eliminated through treatment and rehabilitation in the juvenile justice system that justifies putting the public at risk.

It is for these reasons that, I would like to emphasize that I support the underlying philosophy of the Juvenile Justice System as well as the necessity for the treatment and rehabilitation of juvenile offenders. However, limiting the number of the "bites of the apple" before criminal sanctions are imposed is not logically inconsistent with that philosophy. Establishing some finite number of times that the system allows a particular juvenile to commit a felony is paramount in providing for public safety. Certainly, there should be no tolerance when the juvenile uses a gun or commits a violent act against another person. Public safety demands that we must limit that risk to only those juveniles who are most amenable to the services of the juvenile justice system!

Because we are not dealing with an exact science but with human behavior, you will not find a juvenile justice professional who will tell you that they can predict whether any particular juvenile delinquent will recidivate. At best, they can only tell you who is potentially "at risk" to commit additional crimes.

Not only can they not predict future criminal behavior, their ability to diagnose the appropriate treatment to prevent further criminal conduct in either a medical or behavioral modality model is basically still in the "stone age." It is merely a matter of experimentation until something either works or the juvenile has turned eighteen and is no longer in the system. Yet the attitude prevails that every juvenile is entitled to try everything before he suffers criminal consequences for his criminal conduct.

Compounding this weakness is the fact that whether it is services being delivered by the Juvenile Court or the Department, no one knows what works on what kind of delinquent kids. Despite the expenditure of millions of dollars, outcome analysis has not been required to empirically demonstrate that any type . treatment works.

Effective evaluations of programs is not only necessary to justify their significant expenditures of public monies but to also validate the very premise of the juvenile justice system ---that treatment and rehabilitation can stop criminal behavior. If this cannot be demonstrated, the entire system should fall.

In hard economic times, and even in good, taxpayers do not deserve this irresponsible use of their tax dollars. The system must spend the limited taxpayer dollars more wisely by being honest and admitting that due to this uncertainty in diagnosis, the only true barometer to tell whether a juvenile is either amenable to treatment or willing to accept treatment is that juvenile's own conduct.

However well intended it may be to try to continue to find "the cure," the public does not deserve to be continually placed at risk. Simply stated, how many felonies should a citizen be subjected to by a particular juvenile. We must also send a message to violent juvenile offenders who, at least by the age of sixteen, can easily comprehend that their conduct is not acceptable and will not be tolerated in a civilized socie y.

Sound public policy demands that, after reasonable efforts to rehabilitate have been made, the conclusion be reached that the juvenile has forfeited his right to receive the services and benefits of the juvenile system. He should be transferred and suffer the consequences of adult criminal sanctions.

Therefore, the Juvenile Court and the Department of Youth Treatment and Rehabilitation must make a philosophical shift to "front end spending." This would restore public confidence in the Juvenile Justice System by allowing them to only expend their limited resources on those juveniles who they can truly affect. Additionally, this would provide juveniles a very strong incentive to participate in their recovery and modify their behavior.

However, rather than honestly admitting that the system keeps the wrong kids and keeps them too long, the system chooses to cloak these inherent weaknesses in the system and their decisions with confidentiality and claim that what is needed is not accountability but another level of bureaucracy, a youthful offender program. Not only does this philosophically send the wrong message to the juvenile offender that, once again, they will not be held accountable for their criminal conduct, it also creates another "money pit" by creating a system that has already proven to be a failure, the California Youth Authority.

It also ignores the reality that there rarely, if ever, is a difference in maturity between an eighteen year old and a person

seventeen years, eleven months, thirty days, and twenty-three hours old. Yet, for convenience, one arbitrary hour can result in significant consequence in terms of criminal sanctions. If one hour results in inappropriate disparity, what about one day, one week, three months, one year, etc?

Clearly, the same rationale applies equally to the upper end of the proposed spectrum. Why arbitrarily pick the age of twenty-one? What about the person who is twenty years and one hour old? The same analysis applies.

Not only does the arbitrary age incorrectly assume that three years will give sufficient time for treatment to cure all cases which fall "within the current evil" created by the present system, it again ignores the need for flexibility to provide age appropriate treatment and sanctions regardless of an arbitrary and fixed age. This can be done more efficiently in the adult system. In fact, the adult system is not devoid of treatment programs. Arizona is probably the leader in the United States in terms of intermediate sanctions. Not only does probation exist, there is intensive probation, day reporting, day fines, and an array of sanctions through the community punishment act. It is also interesting to note that the current Juvenile Justice System does not have sufficient age appropriate treatment and rehabilitation programs for people of this age category.

In conclusion, I hope that this presentation begins the dialogue to provide meaningful reform throughout the Juvenile Justice System that will stem the wave of violence and crime by juveniles.

APPENDIX A

Juvenile Data

Maricopa County

Arrests Under 18

Offense Type	1982	1992
Homicide *	9	29
Forcible rape *	14	45
Robbery *	205	371
Aggravated Assault *	476	980
Burglary	2,217	1,978
Larceny-theft	5,980	6,295
Vehicular theft	296	1,252
Arson	87	58

Violent Crimes	704	1,425
Property Crimes	8,580	9,583

Index Crimes	9,284	11,008
Other Crimes	9,839	16,283
Total All Classes	19,123	27,291
% Change in Index Crimes	Base	18.6%

Population Under 18		629,830
Population 5-17		431,394

BEST COPY AVAILABLE

Juvenile Data

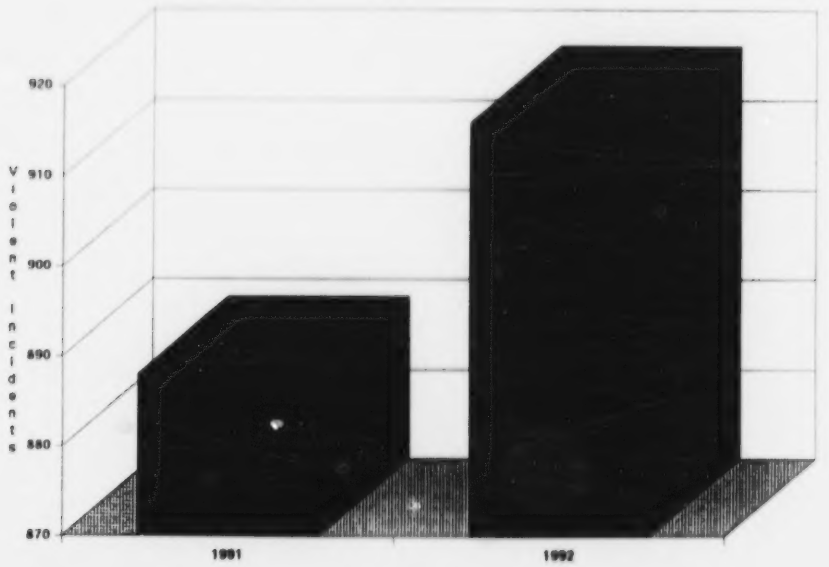
Maricopa County

Arrests Under 18

Offense	1996	1997	1998	1999	2000	2001	2002
Homicide *	17	7	10	12	14	28	7
Forcible rape *	34	32	26	19	48	46	4
Robbery *	129	126	153	202	334	401	37
Aggravated Assault *	406	445	494	613	861	934	99
Burglary	1,957	1,733	1,863	1,889	2,140	2,259	1,97
Larceny theft	6,928	6,851	7,067	6,860	7,489	7,229	6,29
Vehicular theft	417	411	425	688	1,042	1,309	1,29
Arson	84	82	93	77	138	73	1
Violent Crime *	[illegible]	610	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Property Crime	[illegible]	9,077	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Crime Index Total	9,972	9,667	10,131	10,260	12,074	12,274	11,0
Other Crimes	14,528	14,091	13,303	13,694	17,024	17,247	16,2
Total All Classes	24,500	23,778	23,434	24,054	29,098	29,521	27,2
% Change in Index Crimes		-2.9%	4.8%	2.3%	16.5%	1.7%	-10.3
Population Under 18	532,876	558,022	581,750	605,939	641,111	610,243	629,8
Population 5-17	359,591	376,102	391,548	409,206	437,449	414,926	431,3

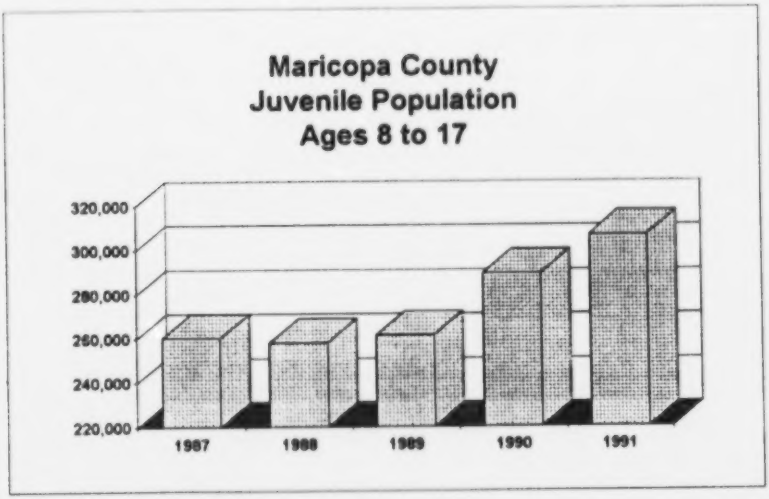
* This matrix includes the number of Negligent Manslaughter cases in Homicide classification

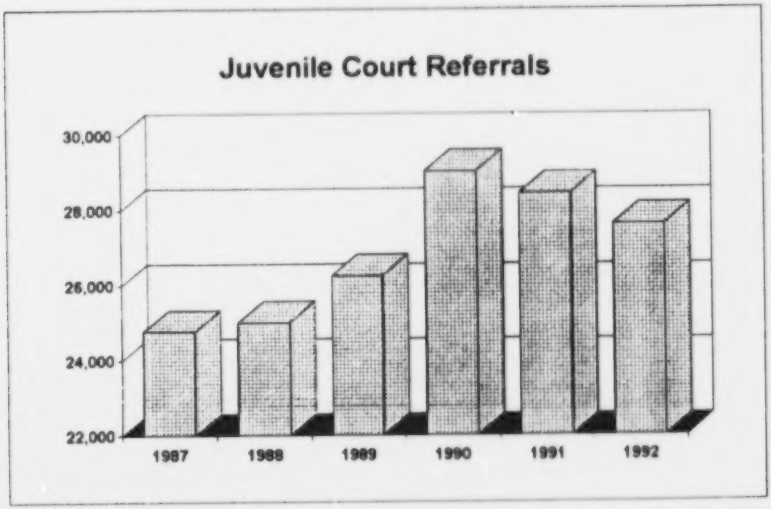
Gang Related Violent Incidents continue to rise.



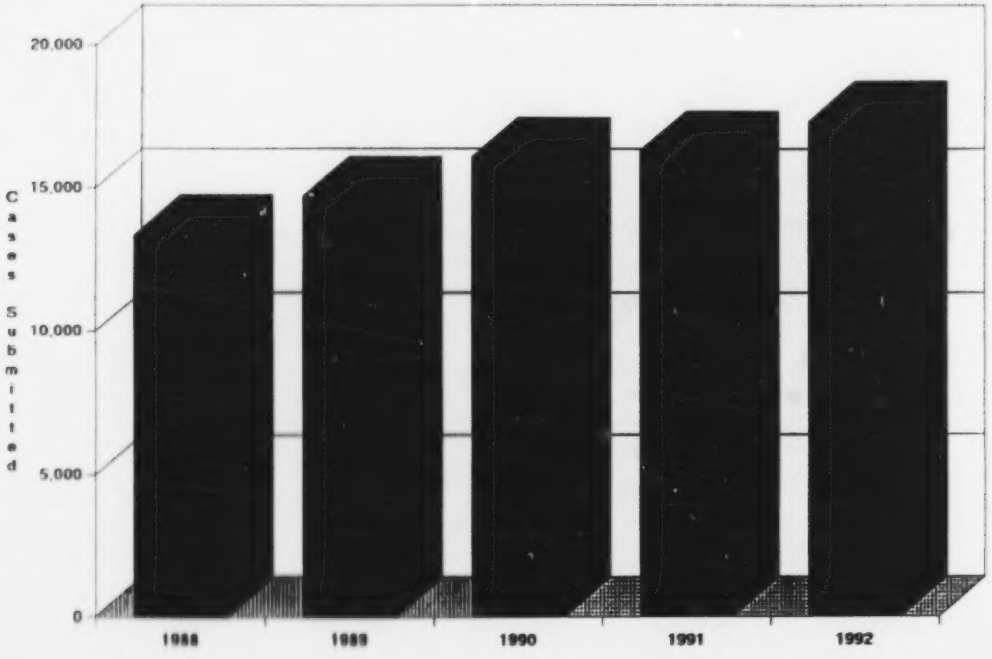
* Statistics provided by the Phoenix Police Department's Gang Unit.

APPENDIX C

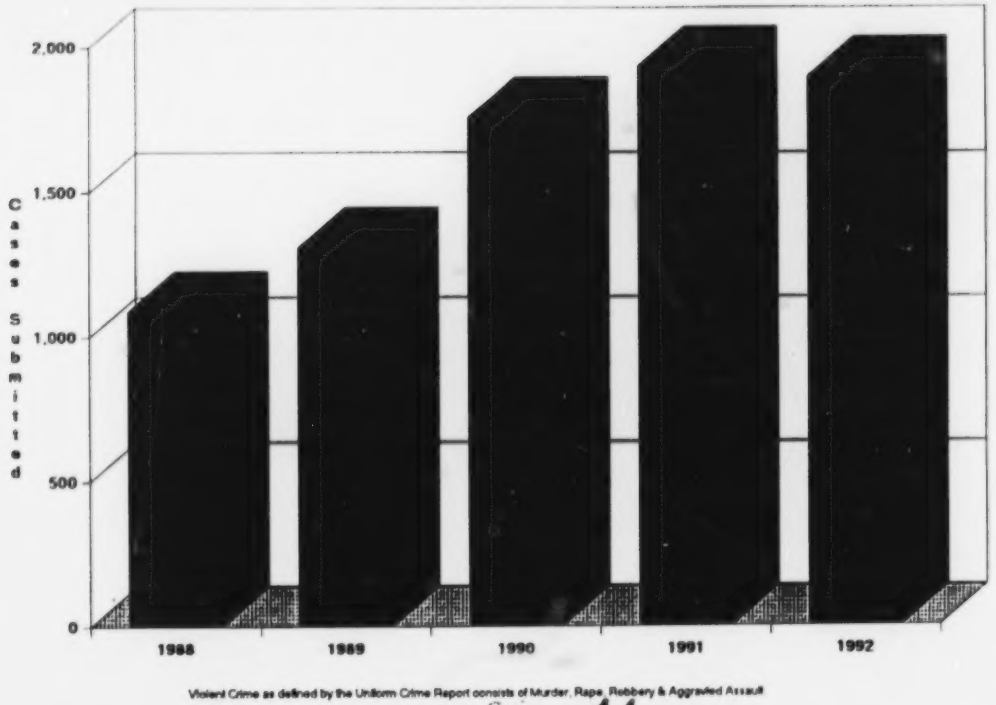

Maricopa County
Juvenile Population
Ages 8 to 17
320,000
300,000
280,000
260,000
240,000
220,000
1987
1988
1989
1990
1991


Juvenile Court Referrals
30,000
28,000
26,000
24,000
22,000
1987
1988
1989
1990
1991
1992

Total Juvenile Offense Submittals have risen 30%.



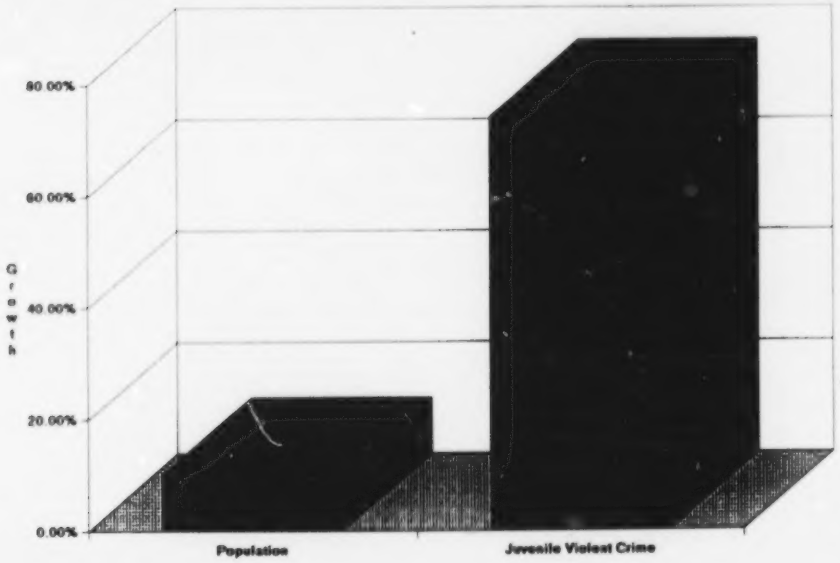
37



Violent Crime as defined by the Uniform Crime Report consists of Murder, Rape, Robbery & Aggravated Assault

Juvenile Violent Crime case submittals have increased more than 74%.

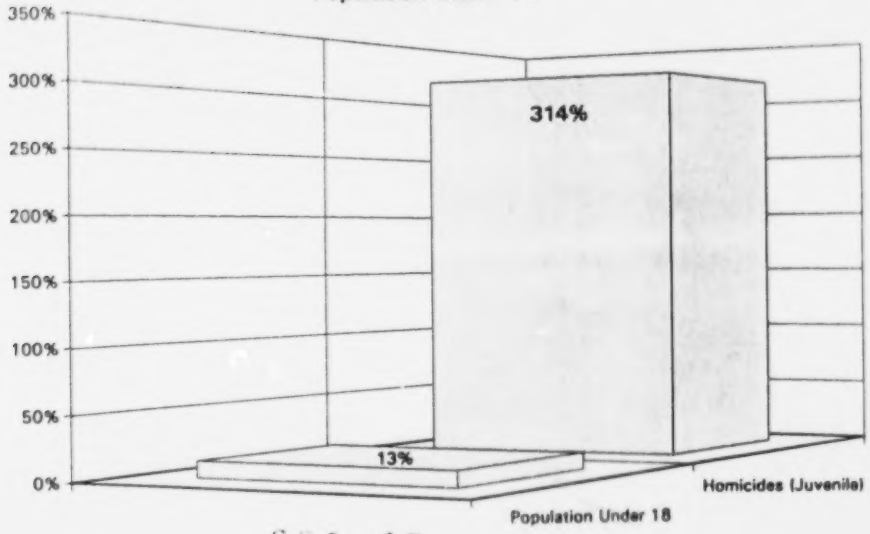
Juvenile Violent Crime has increased eight times faster than the County's population.



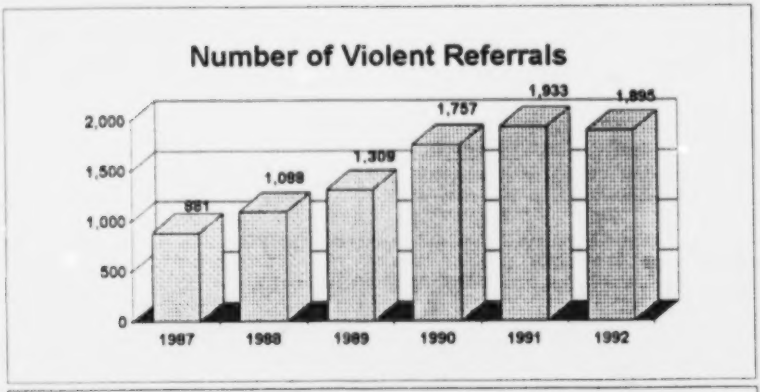
1988 - 1992

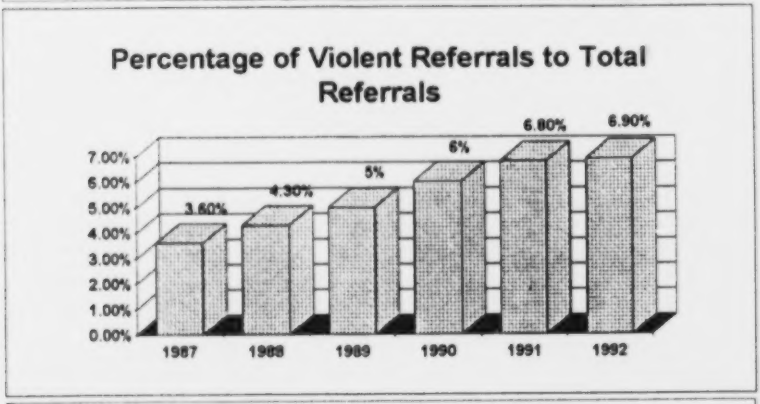
Maricopa County
Percentage Growth 1987 to 1992

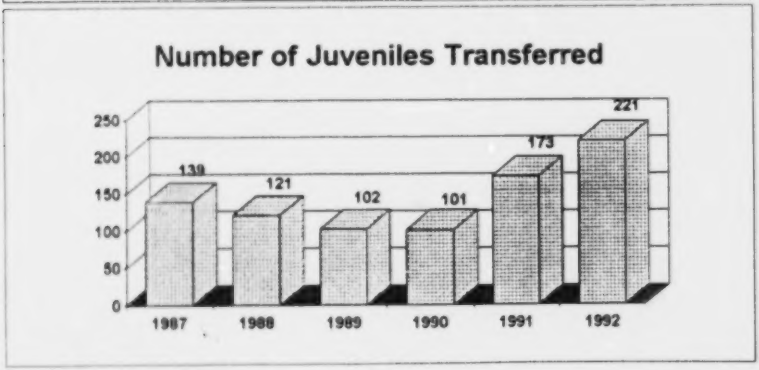
Juvenile Homicides
compared to
Population Under 18



BEST COPY AVAILABLE







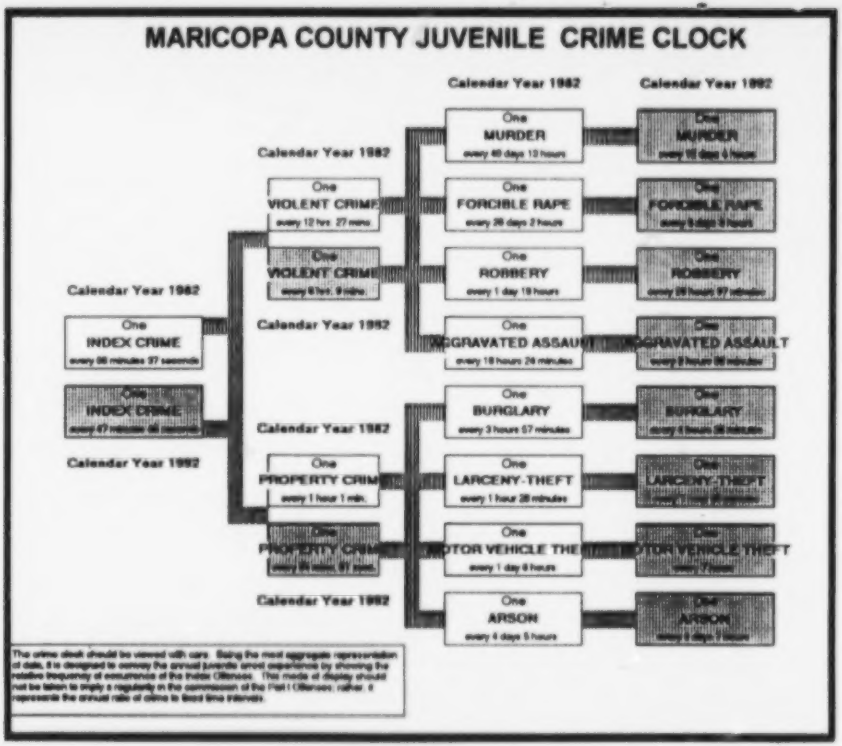
BEST COPY AVAILABLE

MARICOPA COUNTY JUVENILE COURT CENTER

DEFINITION OF SEVERITY TYPOLOGY

VIOLENT OFFENSES

Homicide
Negligent Homicide
Murder 1
Murder 2
Manslaughter
Attempted Murder
Kidnap for Sex
Custodial Interference
Kidnap =(kidnap + kidnap ranson + unlaw. imprison)
Sex with Minor
Sexual Assault
Sodomy with Minor
Robbery General
Purse - snatch Forcible
Strongarm Robbery
Armed Robbery
Aggravated Robbery
Endangerment
Assault with Deadly Weapon
Aggravated Assault
Arson Occupied
Child Molesting
Sexual Abuse
Child Abuse
Set Explosives
Hit and Run


MARICOPA COUNTY JUVENILE CRIME CLOCK
Calendar Year 1992
Calendar Year 1992
Calendar Year 1992
Calendar Year 1992
Calendar Year 1992
Calendar Year 1992
Calendar Year 1992
One INDEX CRIME every 56 minutes 57 seconds
One INDEX CRIME
One VIOLENT CRIME every 12 hrs. 27 mins.
One VIOLENT CRIME
One PROPERTY CRIME every 1 hour 1 min.
One MURDER every 46 days 10 hours
One FORCIBLE RAPE every 26 days 2 hours
One ROBBERY every 1 day 19 hours
One AGGRAVATED ASSAULT every 18 hours 26 minutes
One BURGLARY every 3 hours 57 minutes
One LARCENY-THEFT every 1 hour 28 minutes
One MOTOR VEHICLE THEFT every 1 day 8 hours
One ARSON every 4 days 5 hours
One MURDER
One FORCIBLE RAPE
One ROBBERY
One AGGRAVATED ASSAULT
One BURGLARY
One LARCENY-THEFT
One MOTOR VEHICLE THEFT
One ARSON

BEST COPY AVAILABLE

APPENDIX E

U.S. Department of Justice
Office of Juvenile Justice and Delinquency Prevention

/enile Justice Bulletin

OJJDP Update on Research

Verne L. Speirs, Administrator

August 1988

Study Sheds New Light on Court Careers of Juvenile Offenders

A youth's second court appearance may be an early warning sign of future delinquency, according to a new study on the court careers of juvenile offenders. This finding is important because many courts currently concentrate their

gies and limited resources on youth who have appeared in court five or six times and have been labeled chronic offenders. However, the study's findings indicate that although the majority of youth (59 percent) went to juvenile court only once, juveniles who are referred to court for a second time before age 16 are very likely to continue their delinquent behavior.

The study, *Court Careers of Juvenile Offenders*, was conducted for the Office of Juvenile Justice and Delinquency Prevention (OJJDP) by Howard Snyder of the National Center for Juvenile Justice. It analyzed the court careers of 69,504 youth born between 1962 and 1965 who were processed by the juvenile courts in Maricopa County (Phoenix), Arizona, and in the State of Utah. It examines the characteristics of a juvenile offender from the court's perspective and describes the type and prevalence of offenses committed by youth.

"... findings from this study can help ... tioners and policymakers working ... in the juvenile justice system to devise new intervention programs and strategies.

According to the research:

- Only 3 percent of the youth referred to juvenile court were ever charged with a violent offense,* and less than 1 percent had more than one violent offense referral in their court career.
- Youth *most* likely to have a second referral to court were those originally charged with burglary, truancy, motor vehicle theft, or robbery.
- Youth *least* likely to commit a second offense were originally charged with underage drinking, running away, or shoplifting.
- Those referred for a violent offense had been or are likely to be charged with a wide range of delinquent behaviors.

From the Administrator:

We know from past research that a relatively small number of youths are responsible for a large portion of the offenses committed by juveniles. A logical next step, then, is to ask what courts can do to intervene early on to deter these youth from committing further serious delinquent acts.

To help answer this question, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) funded a research study to examine the delinquent careers of chronic juvenile offenders from the court's perspective.

The findings from this project have important implications for the juvenile justice system, including courts, probation, corrections, and other professionals in the field. However, because of busy schedules and a lack of time to read indepth reports, research results such as these often don't make it into the hands of policymakers and practitioners. To help remedy this, we produced this OJJDP Research Update, which briefly summarizes—in an easy-to-read format—findings about the court careers of juvenile offenders.

The findings from this study can be especially helpful to juvenile justice decisionmakers in developing policy. We believe they can help jurisdictions across the Nation develop programs to respond more effectively to serious juvenile offenders.

Verne L. Speirs
Administrator

* In this study, violent offenses included criminal homicide, forcible rape, robbery, and aggravated assault.

Juveniles and court careers

More than half of all youth (58 percent) first appeared in court *before* age 16. The statistics show that boys were more likely to recidivate than girls: 46 percent of all males had more than one court referral compared to only 29 percent of the females.

Eighty-one percent of all youth referred to court were referred at least once for a delinquent offense, i.e. a criminal law violation. The remaining youth were charged only with status offenses—acts that are offenses only if committed by a juvenile, such as running away, truancy, or underage drinking.

Whether a youth commits another crime was also related to the type of offense that resulted in the youth's first court referral. Those most likely to recidivate were first referred for burglary, truancy, motor vehicle theft, or robbery.

Violent offenses and juveniles

The younger a juvenile was on entering the court system, the greater the likelihood that the youth would later be referred for a violent offense. For example, a youth whose first court referral was at age 13 was twice as likely as a youth first referred at age 16 to have a violent offense referral.

Although youth who committed violent offenses were the least common of all juvenile offenders (5 percent), these juveniles were the most likely to return to court charged with a violent offense. This pattern was found among both boys and girls.

Youth most likely to commit a subsequent violent offense were first referred to court for robbery: more than half of these youth recidivated, and one-eighth were later referred to juvenile court for another violent offense. The second group of youth most likely to be referred for a subsequent violent offense were those whose first referral was for aggravated assault or burglary. Juveniles who were first referred for underage drinking, truancy, drug law violations, or shoplifting were least likely to commit a subsequent violent offense.

This study found little evidence for specialization, when a youth is referred again and again for the same type of offense. Most youth tended to be involved in a wide range of offense types.

Who are chronic offenders?

Chronic juvenile offenders are youth who are most likely to continue their law-violating behavior. It has been the juvenile justice system's goal to identify chronic offenders as early in their court careers as possible and design effective intervention strategies. Most youth never return to juvenile court after their

Table 1

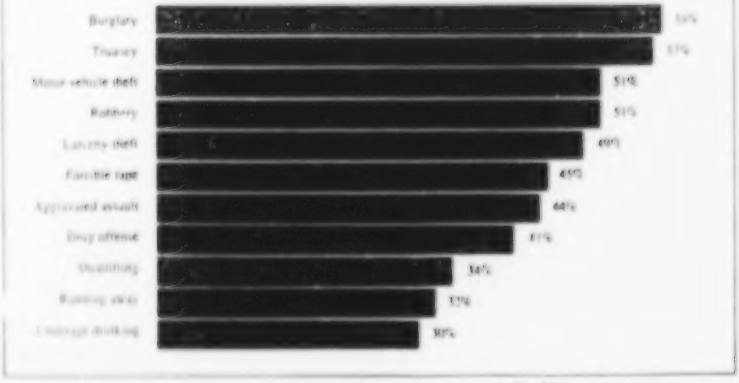
Percentage of youth who returned to juvenile court—breakdown by age at referral and the current number of referrals in the juvenile's court career

Age at referral	Number of referrals 1	2	3	4	5	6	7	8	9	All referrals
10	51%	84%	96%	97%	99%	99%	99%	99%	99%	71%
11	60	85	91	97	98	99	99	99	100	73
12	59	83	89	97	98	99	99	99	99	72
13	57	82	90	93	95	97	99	99	99	71
14	55	77	86	91	92	94	96	97	97	70
15	45	69	80	84	89	89	91	93	93	66
16	33	55	68	73	77	81	83	83	86	54
17	16	27	36	41	43	48	50	53	53	30
Ages 10 through 17	41	59	67	71	74	77	77	79	79	56

Note: To interpret the values in this table it may help to provide a few examples. Seventy-seven percent of all youth whose second referral to court occurred at age 14 were referred again. Fifty-nine percent of all youth with two referrals had a subsequent referral to juvenile court. Seventy percent of all youth referred at age 14 were referred later for a new offense.

Implications for the juvenile court

Figure 1
Percentage of youth who returned to juvenile court after a first referral for the following offenses



Senator DECONCINI. Thank you, Mr. Romley, for those three specific suggestions. It is most helpful.

Your statement about treating these violent repeaters as adults, do you think the law should be in changed in States where the discretion is no longer with the judge, that it should be classified by the crime?

Mr. ROMLEY. Yes, I think that is a direction, Senator, that is going to be the next movement throughout the Nation. I just recently attended a conference in San Diego with the large metropolitan prosecutors to address some of the juvenile justice issues. And I do believe that we need to begin to become more offender oriented at the type of crime that the individual commits, and you will start seeing some legislation in this area.

How do I explain this? It is not a very simplistic answer in and of itself of when do you say enough is enough. However, after the individual has been through the programs 4 and 5 times, when should we be allowing him to go back through that program again?

My particular philosophy is that a 16- and 17-year-old has committed certain types of violent crime like murder or rape, they should be automatically remanded into the adult court system. Part of the reason is because there is not enough time for the concept of rehabilitation, if you can rehabilitate them. But also after the fifth time through the juvenile justice system, they should be into the adult court automatically.

Do not misunderstand. Let's say the person has been a burglar, done some minor assaults, and it is the fifth time into the juvenile justice system. if you have not been able to make a meaningful impact on that child at that point in time, then you have got to start looking at the protection of the community. And when you move him into the adult court system, that does not mean you are going to be sending him to prison.

We have some of the most progressive innovative programs in Maricopa County throughout the nation, and that has been stated over and over again. We have the Community Punishment Act, we have drug counseling, we have mental health capabilities, we have intensive probation, bootcamp, a variety of different capacities to be able to do it.

But the point of the matter is we need to send a message to the youth, ye shall be accountable. That is a message to other youth, as well, as well as we give them a different opportunity with a little more structure.

Senator DECONCINI. Thank you very much.

Mr. Romley, as I meant to ask the other witnesses, I have introduced legislation that would ban certain assault weapons, semiautomatic weapons. Do you think that would be worth an effort to seek whether or not that had any effect on violence in our neighborhoods and schools?

Mr. ROMLEY. Senator, I am very familiar with that particular legislation. And I think that the community is very concerned about the amount of weapons that are within the community. From my perspective as County Attorney, I believe that I need to do a better job at prosecuting those juveniles that commit the crimes with weapons, and that is my particular philosophy, as well as holding parents accountable.

Recently, I just indicted a young mother who continually allowed her 3-year-old to play with a weapon, knew it, was warned against it, and that 3-year-old accidentally shot his 2-year-old sister. He did not kill her. But I believe I also need to hold the parents more accountable.

I believe that if we do a better job in that particular arena, that can have a meaningful impact, not to say that there are not other things. I believe in certain restrictions, although I am not a gun control advocate. I introduced legislation with the Glendale Police Department years ago to ban the carrying of guns on school campuses, and we got that through. Last year, I tried to make it a felony versus a misdemeanor. We were not successful, which I just do not understand.

Senator DECONCINI. Do you think it would be worthwhile trying to ban some of these assault weapons?

Mr. ROMLEY. I don't think any weapons should be allowed at schools, none at all. I am also the legal advisor for the different school districts, and I will tell you that the most common concern that is thrown my way is the safety of the student body and the teachers. I am inundated on a regular basis with their concern for safety, and that is just not acceptable.

Senator DECONCINI. Do you have the number of crimes with assault weapons?

Mr. ROMLEY. Particularly with weapons that you have identified?

Senator DECONCINI. Yes, like the AK-47.

Mr. ROMLEY. I do not believe I can break that out. I do not believe I have ever kept that statistic.

Senator DECONCINI. I wondered how much they were drug related, if that is available information. Maybe that is available. If it is, it would be helpful for our record to have what your office might have in the prosecutorial side, either the use of those types of assault weapons and whether or not they are drug related, if you have that information.

Mr. ROMLEY. I will definitely check on it, as well as check with the law enforcement agencies. Senator, you have taken a leadership role in the drug arena, and that I truly do appreciate. I stated that on the record many times.

Senator DECONCINI. I know you have. Thank you.

Mr. ROMLEY. The drug problem that is currently facing us and the escalating violence due to drugs, there is a direct relationship, there is no question in my mind, and it cannot be tolerated.

Senator DECONCINI. The last question, Mr. Romley: Having been a former prosecutor almost 20 years ago, what do you do about the revolving door? Do you get these people in on the adult side or the juvenile side, because you see them come out and you see them not rehabilitated and you know they are going to be back in. In fact, so many of them are. Is there an answer to that?

Mr. ROMLEY. My proposal that I submitted to the legislature last year I think would address that problem. If I might take a moment and give you the anecdote of a case that I use in some political speeches, to kind of tell you the way children flaunt the juvenile justice system.

Auto theft has been a national epidemic problem, as we all know. All too often, we see our juveniles committing 10 to 15 differ-

ent auto thefts, to be in the system and be out that very next day. There is this one juvenile that I am aware of that had been basically arrested 14 times for auto theft. He was driving down the street and law enforcement was attempting to stop him. So he slowed down his car, as is the normal way juveniles try to get out of this, to a very slow speed of 10 miles an hour, jumped out of the car and let the car continue on.

Of course, generally, the officers have to chase the car for the protection of the community, and the juvenile gets away. This time there were two officers and one got out of the car and chased the juvenile and the other went and stopped the car. The juvenile was apprehended, taken in to the juvenile facility and was basically let out that very same day. Do you know what he did to get home? He stole another car.

My proposal was basically, we call it how many bites of the apple do you get. In Maricopa County, we basically have four different types of program settings to which they can go. They can get diversion, they can get placement, they can get JIP's with juvenile intensive probation, they can get juvenile prison, which is the most serious sanction.

That is why I said after the fifth time or you could never go back to a lesser type of a concept itself, that after that point in time—you have literally tried all the programs, and it is a definitive number that is said to the community and the children out there, there is a finite number here, everybody, we are not going to continually allow you to do this revolving door concept.

So my concept was that a 16- or 17-year-old, that would be automatic. The others, still discretionary with the court. You know, we need to make a very strong statement here. We need to say it is not going to be tolerated.

Senator DECONCINI. Thank you, Mr. Romley.

Mr. ROMLEY. Thank you.

Senator DECONCINI. Mayor, thank you very much for your tolerance here. You have led the charge on the East Valley, both on jobs for youth and economic development in Tempe and also a recent ordinance, and we welcome you here and welcome your statement.

STATEMENT OF MAYOR MITCHELL

Mr. MITCHELL. Thank you very much, Senator.

It has been very enlightening and something I have enjoyed very much. I heard a story recently about a group of Boys Scouts and these Scouts were out on a hike. They came across an abandoned section of a railroad track, and each of the Scouts tried to walk the narrow rails of the track. After a few feet, they all fell off.

In seeing this, two of the Scouts decided that they could—in fact, they bet the other Scouts that they could walk the entire length without falling off. The other Scouts laughed, of course, and said no way. Well, the two Scouts jumped on the opposite rail, reached out for each other's hands to balance themselves, and walked the entire section of the track without a problem.

Senator that is exactly what we need in your help. We need to join hands for youth, to help us fight the crime of juvenile problems we have in our community, in fact, throughout this valley.

Cities like Tempe pass ordinances to control the possession of firearms by juveniles. It has also initiated a number of programs to help youth in trouble and to combat gangs. We have a number of programs through our schools, whether it be the school liaison officers in the high school or the adopt a school programs that are in our elementary schools.

Like the Boys Scouts trying to walk the rails by themselves, we cannot do the job alone. There are too many guns within the reach of too many juveniles, there are too many drugs, gangs and violent offenders for cities that have too few resources, in many cases diminishing resources, to control these problems by themselves.

As you probably know, there is a State law that regulates possession of guns by youth. I might add that this has just recently been enacted and supersedes all of the gun ordinances passed by cities. The City of Tempe also has an ordinance that prohibits weapons in our downtown during special events. Even though we have these laws, there is still a number of juveniles who are carrying weapons and committing crimes.

Last year, in Tempe's four high schools, there were 10 reported gun incidents and 18 assaults. This past year, through a school liaison program with our school police officer on the school campus, a Tempe police officer stopped a student with a loaded .357 Magnum from shooting a teacher and a classmate. We believe without this person being on campus, we might have seen a different result than we saw.

Our police department has received requests from elementary schools to teach gun safety. This is from the elementary schools. The question is why. That is because so many elementary school students come from homes where guns are present or visit friends who have guns in their homes without any supervision.

Last year, an 80-year-old Tempean was shot by two neighbors who were 13 and 15 years old. As I mentioned, we prohibit guns in our downtown area during public events. Yet, we have found guns hidden in the roofs and doors of cars, we have found gang members who have removed airbags from cars and used the space to hide their guns. The Federal Government has instituted a program that has helped, but we need a great deal more.

Operation Trigger Lock, one that I think you are familiar with, is a Federal program to try crimes involving guns in Federal court. My understanding from our police officers, this is a very good program, but relatively few crimes are tried, because the Federal prosecutors have very limited resources, but the program, as stated by our police officers, is a very good program, just a lack of resources.

The laws that are on the book to prevent juvenile crime are good, but the juvenile justice system does not effectively handle those cases it receives. Our police department tells me that a juvenile can go to court 10 to 15 times before jail time is served. That kind of collaborates what County Attorney Romley has just said and what Justice Feldman said earlier.

Now, I am not an advocate to send all youth to jail for conviction, but there needs to be both an adequate reform program and

the knowledge that breaking the law will result in some kind of punishment.

If I may, I would like to put in a plug, and I think it is a program that works very well. Yesterday, I heard a report by Frank Kush, who is connected with the Arizona Boys Ranch. If you have not been out there, or if you talk to Frank Kush, the enthusiasm he shows for this program, I think here is a program which offers juvenile offenders a chance of being reformed. Increased funding for programs like Arizona Boys Ranch I think would give the courts a place to send juvenile offenders, which in many cases are very limited.

I also strongly support the Senator's efforts at meaningful gun control. I admire your courage and determination in fighting this battle. I would also like to thank you for helping to initiate the GREAT that stands for Gang Resistance Education and Training Program. You helped establish the GREAT Program as a pilot program in Phoenix, Mesa, Glendale and Tempe, and reports that I have heard back from elementary—and I understand it was really designed for junior high, but we have also instituted the program down to the elementary schools, and it has just been receiving great reviews.

Programs like this need to be funded, and I understand it is now nationally funded. We want to thank you for at least picking out areas that we mentioned, Tempe being one of them, as a pilot area. This program is in cities nationwide and it has helped. I always like not to use the words "to prevent gang activities," because I doubt if we can really prevent them, but we can at least resist the activities of gangs, and this program has been a very successful one.

Senator I am not an expert on Federal programs or laws. I do know, however, that the help of the Federal Government is extremely needed, and together we can walk steadily down the track that we mentioned earlier to reduce juvenile crime.

Thank you.

Senator DECONCINI. Let me pursue that, because your example is so well taken. What do you think the Federal Government can do to help coordinate these programs and get an assessment? I think it was County Attorney Romley who suggested some kind of a national program audit of standards setting, you know, that you meet these standards, even though they are voluntary, of course, to justify a program continuing. You mentioned the problem is putting these hands together and working together. Do you have any suggestions on how to do that?

Mr. MITCHELL. No; the problem we have right now, and I am sure it is facing every jurisdiction that is here this morning, is in the area of resources, of money. Our school liaison, which I just mentioned, did prevent we believe a very tragic result on campus. We are having a look at this budget section of reducing the number of officers in our school liaison program in the high school. And because this police officer had created a good rapport on campus, students came to this officer to tell him about how upset the student was on campus and had brought the gun, and the result was able to curtail that.

I guess more than anything, programs like Trigger Lock, like the GREAT Program, with funds available and, if need be, an assessment, a voluntary assessment to show how those funds were used and how successful, and I believe this would be welcomed by every agency there is.

Senator DECONCINI. In your city, do you assess these programs or do you have some ability to go back and see, or do you just wait until the reviews from the schools or wherever the program is?

Mr. MITCHELL. I guess it is because of our budget problem we are in right now, we have received a number of letters and reports from counselors, from school principals, from parent groups, saying what an impact this had, particularly I think putting the GREAT Program down in the elementary schools. In the areas that we have instituted it, parents have come back and said how much they appreciate it.

These are things that will have long-term effects. You cannot measure the impact of a GREAT Program on elementary school kids for a number of years, but we think that it is having an effect.

Senator DECONCINI. What is your city ordinance? Is it similar to the one that Mayor Payne pointed out, with the penalty for the parents?

Mr. MITCHELL. Yes; all of the cities I believe passed ordinances that were very similar, and the State came along and we believe enacted one that is more uniform and supersedes ours, but I think also it is just as tough as our own ordinances.

But we went one step further and prohibiting the wearing of guns and having guns in our downtown area when there was an event, and we have not encountered any problems with that at all. In fact, we feel that it has been very good.

One of the things that happens, and I believe this is true to a lot of people in their perceptions, if people feel that an area in which they go into, let's say in downtown Tempe, is safe and they see police officers, and the fact that they hear that we have an ordinance like this, then you are going to attract more of the kinds of people that you would like to have down there.

When you do that, that lessens the chance of those kinds of people, maybe the gang members or those that might not be as desirable from being there. But if good people abandon an area, you know what is going to happen. It is like a vacuum, it is going to be filled in by those kinds of people that caused the problems that you are so concerned about.

So what we try to do is just continue to go on and man it with security and police and the laws and the people have that safety then and we feel we have done very good. It is only after certain hours when other people go home that we have some of the bad problems.

Senator DECONCINI. Mayor, thank you for your testimony.

Mr. MITCHELL. Thank you.

Senator DECONCINI. Thank you for your leadership and innovative approaches to the problem, and thank you for the support of the assault weapons ban. Every law enforcement group in the United States supports that ban, and it seems like we may finally some day try that and see what kind of effect it would have.

I thank you for being with us.

Mr. MITCHELL. Thank you very much, Senator, for your leadership.

Senator DECONCINI. Our next panel can come forward, please. That is Dr. Victor Herbert, Rosemarie Roulhac, Sophia Lopez, Nancy Jordan and Lora Nye.

Good morning. Ladies and gentlemen, thank you very much. We are grateful to have you. We appreciate the witnesses here. We will start with Dr. Victor Herbert, Superintendent of Phoenix Union High School District, which has over 19,000 students. It includes eight comprehensive schools and seven alternative schools.

Dr. Herbert, thank you for taking the time to be with us today. We welcome you here. We think we know some of the problems you face, but we are here to listen to the problems, and also any suggestions you have.

PANEL CONSISTING OF VICTOR HERBERT, SUPERINTENDENT, PHOENIX UNION HIGH SCHOOL DISTRICT; SOPHIA LOPEZ, MOTHERS AGAINST GANGS, PHOENIX, AZ; NANCY JORDAN, FOUNDER, GENESIS, ACCOMPANIED BY CARLOS GOWAN; ROSEMARIE ROULHAC, C.I.T.Y. DADS, INC., PHOENIX, AZ, ACCOMPANIED BY KEVIN MITCHELL; AND LORA NYE, CHAIRPERSON, PHOENIX BLOCKWATCH COMMISSION

STATEMENT OF VICTOR HERBERT

Mr. HERBERT. Thank you, Senator.

I am pleased to be here. I salute you for holding this hearing, and certainly the issue is an important one and it is one that we all want to participate in the struggle to find solutions.

Not surprisingly, I am going to focus on violence in schools and I would like to start out by de-mythologizing what may very well be a social myth, and that is that schools are violent and dangerous places. In fact, for many of the young people I deal with every day, the school is the safest places in their lives. The issue is not so much violence in schools, as it is violence in society.

Whenever I talk to people who on occasion have parties of teenagers in their home, I ask them how they feel when there are 20 or 25 or 30 bustling, energetic, overly hormoned young people wandering around their homes, and almost always the response is one of terror and panic. Imagine what it is like in the Phoenix Union high schools, when nearly every day 2,000 of those people pass each other in the hallways, sit in the same classes, share meals together. The potential for violence one might hypothesize would increase exponentially, when the reality is not the story is not what happens, it is what does not happen.

That is not to say I do not have serious problems involving violence. This year, I have had to expel 20 young people for bringing loaded weapons onto campus. I have had another 100 students or so suspended, because of some kind of violent act or another. But as you pointed out, there are more than 19,000 of those young people and the story again is not what happens, but what does not happen.

In fact, I wrote a letter to Jerry Calangelo just this week to tell him that one of the unexpected benefits of the success of the Suns, I believe, is that we have had the most calm and safe school year

that we have had in years. There is a good feeling in the valley and people in schools and outside of schools are very much aware of what is going on, and although the Suns will never get that award, having prevented crime in the schools, I really believe there is a piece to that that is real and makes some sense.

Why do people do anything? Psychologists tell us people do what they do, because they want to be happy. Now, sometimes the acts bewilder us. Inserting a needle loaded with poison in your arm or drifting to the point of nausea, driving recklessly, perhaps most dramatically, that moment about a year or so ago when that young felon running from some other members of a drug gang picked up a 3-year-old baby and held the baby in his arm like a shield, while he fired back, is so horrific, it threatens the imagination or threatens the conviction that we are evolving progressively toward humanitarians in our society.

Yet, even that incredible Jersey Kozinsky painted bird kind of art is a statement about survival and a desire to be happy. Violence in some twisted and frequently pathological way is merely a statement about wanting success. Young people go to gangs, because they see family. What a paradox. Acceptance and economic gain, that is what we all want, family, acceptance and economic gain that leads to a prosperous and productive life.

When you say to me, as you most certainly will, what are the solutions to this problem, I will, like Claude Rains, say to you gather up the usual list of suspects. There is nothing new here. It is about schools that are competitive, that are open day and night year-round, that offer quality education that is genuinely competitive with Asia and Europe and anywhere else in the world.

It is about jobs, and not only jobs for young people, but jobs for adults in this community. One of the proudest moments in the history of Israel was when they brought the Ethiopian Jews out of Africa to the promised land, and they discovered these people who have been out of contact with Judaism for centuries still practicing the base tenets of the mosaic law. They intended to do something charitable. Today, the Ethiopian family slowly but surely disintegrates, as the patriarch is unable to find work, while the mother, the matriarch, is able to find domestic work. The structure of the family that kept that society together disintegrates.

How can a youngster have pride in his parents, if the father does nothing all day or perhaps leaves, because he has no dignity in the house? And the mother has no dignity, esteem, success or economic recognition. It is all so simple: Good schools, good jobs, and not merely for young people, those kind of fast-food jobs that open the door but never give the key to the executive escalator, let alone executive rest room.

Every one of us took one of those jobs when we started out, supermarket, restaurant, but we knew it was the first step and that we would go some place else if we continued to work. Young people today do not believe that. In fact, they do not believe it is worth sitting in a class listening to someone lecture about biology or chemistry or algebra. It does not seem to lead any place. Why do it? The evidence, unfortunately, may be more on their side than it is on our side.

As I said, there is nothing complex about this. The answers are simple: competent, caring adults committed to educate every child, not only universal access to education, but universal success through education and jobs for families, for young people.

As several of the speakers said before, it is the oldest of tenets, pay now or pay later. As Judge Feldman pointed out, the tuition for prison is almost double what the tuition is for Harvard. There is something wrong. Pay now, pay later, or perhaps pay now, pay now.

Joe Cocker had that classic song in the 1960's about people climbing through the bathroom window. If we do not find a way to convince young people that school and work are part of life and lead to happiness, success and prosperity, then we are going to have those people climbing through our bathroom window for as long as we live. Pay now, pay later, pay now.

Thank you.

[The prepared statement of Mr. Herbert follows:]

STATEMENTS OF
VICTOR HERBERT

VIOLENCE IN SOCIETY AND ITS IMPACT ON SCHOOLS

What's the matter with kids today?
Why can't they be like we were,
perfect in every way? Oh, what's
the matter with kids today?

Any fan of the American musical theater recognizes the lyric from *Bye, Bye Birdie*. It is a paraphrased refrain repeated from generation to generation, at least as far back as Socrates, the idealized teacher for western society. Are young people really more violent or vicious than those of 25, 50, 100 or 1,000 years ago? Probably not. Are they in more jeopardy than their predecessors? Almost certainly. Can we do anything about it? Without doubt!

As a school superintendent, I have been asked to focus on violence and the schools. Ironically, although many assume the two are inextricably intertwined, for many of the students in the Phoenix Union High School District, school is the safest place in their lives. On occasion, I hear complaints from the community and in particular, the private sector. They allege that schools are out of control, clear and present dangers for children. I ask them to recall their feelings the last time they had a house full of teenagers at a social function. By comparison, in the schools where literally thousands of these overly hormoned, overly zestful young people, share the same space, walk the same hallways and stairwells, nearly nothing ever happens.

Clearly, it would be inaccurate to suggest there are no incidents. There are, and frequently they are quite serious. This year I have had to recommend 21 students for expulsion caused by carrying dangerous weapons, usually loaded guns, onto the campus. Another 100 or so were suspended for some violent act or another. Nevertheless, there are some 20,000 teenagers in 15 secondary schools of varying size. The story is not so much what happens inside schools as much as what happens outside.

Violence in society is on the rise. The Sunday, May 23, Arizona *Republic* reported that once young people leave school, their exposure to random or retaliatory violence increases exponentially. The National Urban League was accused of hyperbole by declaring young African-Americans, "an endangered species"; US West used similar language describing the Hispanic dropout rate as a "ticking time bomb" in a film produced by James Olmos. If these are overstatements, they are not far from the mark.

What to do about all this? Actually the answer is relatively simple: Present alternatives to gangs, violence and crime. Perhaps the two most effective are education and employment opportunities.

No one wants to be unhappy. Psychologists tell us that people usually do what they believe will make them feel better. Sometimes the act bewilders others: sticking a poisoned needle into an arm; drinking vast amounts of alcohol to the point of nausea and unconsciousness; engaging in sexual activity with no care for the consequences to one's self, partner or offspring. While judged reckless by some, these are merely acts in pursuit of joy and momentary relief from perceived or real oppression. Even the

horrific spectacle of that Brooklyn teenager using a three year old child as a shield in a blazing gun battle, in itself, is nothing more than a thoughtless struggle for self survival. As long as they believe they do not have access to world competitive schools and the prospect of gainful, lifelong employment, urban youth will turn to street life for acceptance, prosperity and satisfaction. It is a twisted and often pathological grasp at the American dream as they know it. Sadly, there is little evidence that urban youth have real access to truly world competitive schools and employment that looks beyond a fast food, dead end.

Providing genuinely competitive schools at all levels and full employment for students, workers of tomorrow, and their parents now, would require the same single minded tenacity that seems to characterize the current effort to reform health care. Locally, a full commitment requires a process that identifies competent and caring adults committed to teaching all children and a community ready to support their efforts.

While it is unlikely that renewed education and full employment will come to pass in the immediate future, there are some programmatic steps that could move Arizona closer:

1. **Year Round School**: keep the school buildings open longer each day. Combine for both educational and recreational activities throughout the year. Three month summer vacations are crime, gang and violence breeding grounds.

2. **Early Intervention**: fund more "head start" initiatives and direct additional resources toward grades K-4.

3. **Alternative Schools**: direct resources toward the student unable or unwilling to succeed in the traditional schools. Establish programs at all levels for the student exhibiting violent or gang tendencies as early as possible.

4. **City and State Recreational Facilities**: keep those we have open longer and build new places for young people to use time well.

5. **Family Dignity**: develop jobs and job training efforts to give parents self-esteem and restored authority in the family group.

The list could easily extend and none comes without some increase in investment. As noted above, these few are not nearly as glamorous nor attractive to voters as mandatory sentencing and prison construction. "Lock 'em all up!" gets votes; crime prevention is somehow ephemeral and unappreciated. That ounce of prevention, worth a pound's cure rarely translates from the adage to an action agenda.

There is no secret to teaching children and preparing them for the future. It requires those competent, caring adults: family, friends, teachers, community and religious leaders, coaches and elected officials united into a community determined to help young people understand that hard work is part of life but that the rewards are worth the effort. There is no secret to developing prosperous and productive citizens. It requires good jobs for all, blind to race, ethnic background, religion, gender or age. Easier said than done, certainly, but no where near as herculean as some hypothesize.

Above all, political courage requires an understanding and acceptance of the realities: **it will be neither simple nor cheap.**

BEST COPY AVAILABLE

Senator DECONCINI. Thank you, Dr. Herbert. I appreciate it.

We will now go to Sophia Lopez, and I will come back with questions for all of you.

STATEMENT OF SOPHIA LOPEZ

Ms. LOPEZ. My name is Sophia Lopez, and I am the founder of Mothers Against Gangs. The program I run is to help victims of gang violence and also to try and find alternatives for our youth. Many of our mothers go into the community to take the resources that are out to the community to find other alternatives for our youth. Some of the places that we refer our youth to are like Genesis program, who has helped and done many good things with our youth. We need more of these resources to help our youth, to let them know there is someone out there that cares.

Many of our youth do not have a role model, a positive role model. Many of them come from broken homes, and I believe and I feel that the women are going to make a difference, because of not having the fatherly role model in their homes. I can say that Nancy has done a lot for our youth, and I have seen successes in her program.

Another thing, with the guns, I know that when guns are removed from our youth, if that gun has not been reported in a crime, it is released and given back to our youth. Our youth are carrying guns at very young ages. The youngest I have seen is 15 years of age, carrying .10 and .25 caliber, MAG-10's, semi-automatic .9 mm Uzis. You know, these guns are being carried by our youth and they are not being used for hunting. They are hunting, but they are hunting our children, and this needs to be taken off our streets.

I think these guns, when they are removed from the kids, not because they have been reported in a crime, that they should be melted down or gotten rid of, because if we keep distributing these guns imported from Europe or something, they are falling into the hands of our young people. When these young people get them, like I said, they are not for hunting. You do not hunt animals with .9 mm or MAG-10's. They are hunting our children, and it is really sad.

Just this weekend, there were four kids who were shot, one of them who is not going to make it. Today, another one is going to be buried. These are our children and, yet, they are gang members, but they are our children. One way or another, maybe one of your children. So we need to find solutions and alternatives for our youth.

I do not like seeing kids put away in jail, but when they commit a crime, someone has to pay for what they have done. We in the community do a lot, but we need your help, also. I think a lot of our city council and police officers need to go more deep into the community and find out what our needs are in the community. I feel at times now that I am endangering my mothers, because they have had to go up there, and we have gotten threatening calls.

It is hard for me to say be careful, and we go in pairs, but what do we do when a 15-year-old points a gun at us? What are we supposed to do? We cannot hug them or tell them we care. In their

mind, they are saying I am going to shoot you, because you are against us. We are not. We are just trying to find alternatives for them, so that they can be saved from these incidents that have happened with our youth. Our youth are very violent and we need to find more alternatives for them. There needs to be more programs such as Genesis and Step-Up that helps young men. We have the Army Star that helps young girls.

But what happens to the kids that are under 16? I have a girl right now that is 13 years old and has 3 babies. That is too young for a child to have a baby. If the parents are not helping them, we need to help them. We need to find alternatives for them. This happens on a daily basis. It is not a week or a month. It happens every single day, every single hour. Every minute, someone is being hurt or killed because of gang violence. There has to be more alternatives out there in the community, more resources for them.

Senator DECONCINI. Ms. Lopez, can you give us just a brief background on Mothers Against Gangs, how it was started, how it works?

Ms. LOPEZ. Mothers Against Gangs started last year in January.

Senator DECONCINI. You were one of the founders, is that correct?

Ms. LOPEZ. Right. I organized Mothers Against Gangs after my 16-year-old son was shot and killed by a gang member. Finding out, when they say victims' rights, there are no victims' rights. I was very angry at the system, for the person who killed my son is still out on the street, a 20-year-old man killed a 16-year-old, and to me that is saying it is OK to kill and get away with murder. There needs to be more done.

I helped many families who have gone through the same thing that I have. I have one of my mothers there and her son was shot and killed and was the first New Years killing. We help each other through the court system. We help to reach out to the younger children that are out there, the survivors, to try and diffuse the anger from retaliation to something positive, doing something with them to teach them that gangs is not where you should go, that there are other alternatives and that we need to help each other.

Finding a school that will help that child is very important. And that is what we tell our children, education is very important, without education, you will never be successful in life, you are our future and if you continue to kill each other, there is not going to be a future for all of us.

Many of our youth who have died from gang violence are leaving babies behind, and what is going to happen to these babies? The Government is going to have to support them. We need to catch them before the fact, not after. This is why I started helping——

Senator DECONCINI. How big an organization is it? Do you keep numbers or——

Ms. LOPEZ. I started by myself and now I have about eight mothers and we are starting a chapter in Mesa, Yuma and Chandler.

Senator DECONCINI. And that is done all by these mothers, without any government support or what have you?

Ms. LOPEZ. Right, and it come from their heart to help, because we know that our community, our children are hurting, they are crying. I know that you cannot get a group of gang members and

74-122 O - 94 - 3

help them all together, but you can pull them one by one. Like I said, the gang members recruit one-by-one, and mothers can do the same thing, and empowering these women will help them to help their children, also.

Senator DECONCINI. Thank you very much.

Our next witness will be Nancy Jordan, who is the founder of Genesis, an organization that gives teenagers who have dropped out or have been thrown out of school a chance to turn their lives around. I understand it is a partnership with the City of Phoenix, and it has helped over 170 youngsters, mostly minority, reenter the educational system, by taking college-level classes at Phoenix College, and that this school has been very supportive.

I think Nancy is accompanied by Carlos Gowan. Welcome, Mr. Gowan.

Nancy, please.

STATEMENT OF NANCY JORDAN

Ms. JORDAN. Senator, thank you for the opportunity to speak with you this morning.

I have to agree with the comments that Dr. Herbert and Sophia Lopez have made. I think the children in our communities are in great pain and need to have some positive options that they can look for. Unfortunately, I think that the reasons, as Dr. Herbert indicated, for all of the problems that we see among youth are very complex, and there is no single solution, nor will there ever be to those problems that we see.

Students that come into our Genesis Program I think represent a cross-section of the kinds of things that happens to young people that prevent them sometimes from achieving those goals that they had early on. One thing that striking about them I think is their ability and their talent and the desire, as they say, to be somebody. I think every one of us always has that dream and that hope, that one way we will be able to achieve things for ourselves and for our families, and our students are just as committed as anybody else.

The Genesis Program was started, as you indicated, two and a half years ago to help students who were unable to complete their high school education in the traditional setting. What we did was to start bringing them onto the Phoenix College campus, get them involved with college courses and simultaneously get them taking a GD Program.

We have had tremendous success with the program. We have a very high retention rate. It fluctuates between 75 and 80 percent, and the majority of our students do pursue some sort of postsecondary education, because, as we well know and as Sophia was reiterating, the economics of a family are very important.

Many times, kids do get involved in things like gangs or illicit activity, because of economic gain that brings to them and to their family, and I think unless we have viable options that they can see something that, as Dr. Herbert said, is beyond the minimum wage job, something that will let them move into entry-level positions, but that have a future, and I think with some college and a high school diploma or a GD, you can aspire to that today.

But it is very important that I think we look at options that do also address individual needs. I think that is one of the strengths of our program. Each student has a very individualized program. Each one has their own career and professional goals and each one has their own plans to achieve it.

I would like to ask Carlos to maybe comment a little bit about his experience in the program.

Senator DECONCINI. Mr. Gowan, thank you very much for being with us. If you can tell us a little bit about your background and the program.

Mr. GOWAN. Thank you, Senator.

I was involved in a gang for about 3 years. I grew up in a community where violence and drugs is very common. I was a good student all through my junior high years, but once I reached my high school, I went through a big change. I started getting involved in the gang and really I wasted about 4 years of my life.

Where I was left, I was expelled from high school. It would have been too dangerous for me to go to another high school, because of where I was from, so I was left in a real desperate position and I had no idea what I was going to do. There was really nothing there for me. I mean where could I go?

Through some miracle, I think it is, I got involved with the Genesis Program through Sophia. I was a friend of Sophia's son who was killed, and Sophia and her other son Rudy were the ones who got me involved with the Genesis Program. Once I got to the Genesis Program, Nancy and the program kind of took over and they changed a lot of my thinking.

To many of the kids out there, we are not violent by nature. We are violent because of the things that we see, because that is what we know, that is how we know how to deal with problems. That is how we know how to deal with situations. It is not anything abnormal to us. It might seem abnormal to other people, but it is everyday life.

Senator DECONCINI. Are you in the gang now?

Mr. GOWAN. No, I have been out for over a year. I am a college student now.

Senator DECONCINI. Good for you.

Mr. GOWAN. What does that say? It can be done and I owe something to Dr. Herbert, I owe very much to Sophia and I owe very much to Nancy. It was because of Sophia that I got involved in the Genesis Program, and through the Genesis Program I am now a college student, and through Phoenix Union High School District, now I will be able to go back and get my high school diploma, something that would have been impossible for me.

I would just like to say that I would like to see a little bit more involvement with the Government in the community, because the people in the community, they want to do something about what is happening to them. It is not like they are just sitting back and they do not want to be involved and they are accepting all the violence that is happening in their community. They want to do something about it, but there is a big gap in there between the Government, the legislature and the people in the community. So there isn't any communication, and that is just leaving a big gap and a lot of things that could be done are not being done.

Senator DECONCINI. Excuse me for interrupting you. How do you think is the best way to prevent young people from joining the gang? Is there anything that comes to your mind as one of the top one or two things that could be done to prevent that?

Mr. GOWAN. There is no one thing. I mean there is no one miracle action.

Senator DECONCINI. What about a program in schools that talk about gangs similar to the D.A.R.E. Program, known as the GREAT Program, that talks about gangs and explains what the problems are and has former gang members come in and talk about it, would that be helpful?

Mr. GOWAN. It could be helpful, but nobody knows more about gang life than the kids it is happening to. I mean it is no use in telling them what is happening to them.

Senator DECONCINI. How can you get to them before they join the gangs? If there is anything that comes to your mind, what would be—is there anything?

Mr. GOWAN. There is, but what it is is I would say for all the gang members out there, being in the gang is a lot easier for them and it is a lot more beneficial to them than it would be to go to school. I mean the big thing is——

Senator DECONCINI. You mean economically, as well as friendship-wise?

Mr. GOWAN. Economically, socially, you know, right now everything is in the gang sense, you know, it has the power. The Government has no power over the kids, the school has no power over the kids. It is the gangs and the society the kids live in has the power, and right now it is controlling their lives. Kids are not in control of their lives right now. That is why they are turning to the gangs and they are turning to violence.

There has to be in all our effort on everybody's part to do something, to do whatever they can. It might not be as a direct result of a policeman going into the community and befriending some of the kids or a teacher. You know, it might not be the direct result. But if you take everything and you put it together, then it is going to make a difference. You have to make it easier for kids to succeed and for them to fail.

Senator DECONCINI. Do you agree with Dr. Herbert that the jobs would be very important, if there were some jobs for these students, rather than——

Mr. GOWAN. Yes; of course, a job and money, you know, that is all people want is success. But too many times, there is a trap out there where students are expelled from school, kicked out of school or they just do not want to go because they think that they can make it with a $5 an hour job, and it becomes a trap.

Senator DECONCINI. They get stuck there.

Mr. GOWAN. Yes, and you are stuck there. Then what do you do? You cannot quite your job to go back to school, because how are you going to live? There are a lot of problems, but there are a lot of people out there that can do something about it, and I think the key word here is unity and effort, because it can be done. You know, everybody has to kind of put their own egos or whatever aside, because no one person is going to save all the kids and cure all the gangs. It has to be a united effort.

Senator DECONCINI. Thank you, Carlos, very much.

Dr. Herbert?

Mr. HERBERT. I would just like to offer a specific, in answer to your question. You know, what to do, there are people like Nancy and Sophia all over this valley who really want to do something. There are people in every single school.

If I may tell you a personal incident, my wife teaches second grade in a school, Loma Linda, and somehow she has now become known as a gang counselor, because one young woman who was about to be expelled came to her and asked her for help, and they worked something out, and now the word is out around the school that if you are in trouble, you go see this teacher and she is your advocate.

I would like to suggest that every school, elementary school even more important than high school, have a position like that, a full-time teacher, and I would call that teacher, if Nancy forgives me, a Genesis teacher on every campus, free to do that kind of work. Because if you do not get to Carlos when he is 8 or 9, somebody on the street is going to get to him at 10 or 11. Just as a specific, I would offer that.

Senator DECONCINI. Thank you very much. Thank you very much.

Rosemarie Roulhac, President of C.I.T.Y. DADS, which provides support and alternatives to kids who have or are considering gang life.

Thank you very much, Rosemarie, for being with us.

STATEMENT OF ROSEMARIE ROULHAC

Ms. ROULHAC. Thank you. We work daily with the gang members.

Senator DECONCINI. I understand you have Kevin with you today.

Ms. ROULHAC. Yes, I have Kevin Mitchell with me.

Senator DECONCINI. Thank you, Kevin, for being with us today.

Ms. ROULHAC. We work daily with the gang members and, first of all, the majority will admit, these youths, that they do not want this part of life. Carlos said this, that they basically do not like that kind of behavior, the violent behavior, that it is survival on the streets. They also have no hope for the future and also have no hope of ever getting out of the gang life.

The majority of these youth come from homes where violence and substance abuse is prevalent, and a lot of them are usually afraid. They have not seen anything beyond their neighborhood and have not seen any other way of life, but violence and substance abuse.

The bill proposing to outlaw assault weapons is most needed, but I also think it requires other services. You have to have something to back that up. I also believe you will never get rid of the guns. They are out there and I do not know how you confiscate them, so what you have to do is give alternatives to the gun.

I believe there has to be prevention for smaller children and we have to start with them very, very young. I have seen children as young as 10 with guns. I think you need to start in kindergarten,

and Head Start. A lot of these children are not getting this information at home, a lot of times a single parent and the time is not there or the substance abuse or violence is in the home, and that is all the child knows.

Also, intervention, that is basically what C.I.T.Y. DADS is known for, is intervention with the gang member. We literally go out there and talk to them and find out why, why the violence, why are you where you are at. Two of the things that we use in our program is peer counseling, and we are under the direction of Dr. Jocelyn from ASU, and we have been in 4 high schools this year and we are probably going to pick up another one next year. Kevin is one of the facilitators.

Also, we have a mentoring program, where we are putting the male role model back in the community that has been missing too long.

I also believe that we need mental health and substance abuse programs for our youth. We keep talking about this stuff, but they usually, when the moneys, ever they come, it goes for the adults. I have had too many incidents where I have tried to get youth help with substance abuse, they are not 18 or older, the insurance is not good enough, they do not fit the qualification of low-income.

These kids, in order to do their violent crimes, are under the influence, and for us to think that they are not addicted, we are crazy. We are crazy. Our children are addicted to drugs. Instead, we take this money and we build more prisons, we make more laws, and we have to realize that the youth are not afraid of laws or jails. It is almost a haven for them. Jails is a place for them to sleep, it is a place to eat, it is a place to do what they were doing, hanging on the corner, but this is in a jail yard.

We need to get life skills back in our schools. Our inner schools, we need to deal with breathing, we need to deal with anger management, and we need to deal with conflict resolution. Our youth do not know how to do this at all.

Also, we need to change our attitudes as adults. We need to quit ignoring the problem. We need to listen to these kids. We need to care. We need to offer the youth a future and a hope, because right now they do not see hope in the economy, in education or careers. Also, the programs must fit their needs. It is not something that we think here is this program and it is just way out from what they even dreamed about.

One of the things we need to do is be culturally sensitive to every one of these kids. We need to train our youth in who they are, where they came from and something to be proud of. Also, we need to make all programs available to all ethnic groups.

I met Kevin a year ago. He had just gotten out of jail and was part of the gangs and has made a tremendous turn-about. Most of my education has come from Kevin, and I am going to let him speak now.

Senator DECONCINI. Kevin, thank you very much for being with us, to tell us about——

Mr. MITCHELL. Thanks, Senator. I guess I am a street kid.

Senator DECONCINI. Tell us about your background, Kevin, and what you think ought to be done.

Mr. MITCHELL. I am kind of scared to say my background, because everybody might get up and run out. I have had some experiences.

Senator DECONCINI. Well, that would be helpful. Thank you.

Mr. MITCHELL. My name is Kevin and I was a part of West Side City for a long time. I banged, and I guess I can say I am that gang member that everybody is here speaking about. A lot of people do not seem to understand, they don't know what is going on in my neighborhood until they walk down our streets.

There was a lot of reason for banging when I was coming up. You know, the violence I can speak for. It did get out of hand at some points, but I can't say that the gang, it offered me a lot. It has done a lot for me, you know. It was like a family that I never had, you know, somebody opening their arms and hugging me.

My father is in prison. He has been there 23 years and he has still got 23 more. It wasn't like I had a brother—what I mean by a brother is a black male coming up to me and say, you know, what you're doing is wrong, you don't need to be doing that. You know, we didn't have nobody like that. We had a dope dealer in a Cadillac with $1,000 rims on it coming through, you know, and kids look up to stuff like that. We didn't have no Michael Jordans.

I lived in a project all my life. It was hard, man. I cried, my mom cried. She used to cry when I left the door, not knowing if she would ever see me again. I had lost numerous friends. I just hope it can all stop, but in order for it to stop, we have to change. It can't be a group of legislators and Senators. It has to be us. You know, we started it and we have got to clean it up.

That is why I am so strongly into these kids and that is how come I got out. I really wanted to change my life. Rose made me look at that. It is not like we die for nothing. You know, we die in the hands of our own people. You know, they make these guns and you know we're going to get them. We need protection in our neighborhood. Without the guns, violence will still occur, but there wouldn't be as much killings.

I think we need a gun law. Like they say, I don't see why they should make a parent sign a paper for their kids to carry a gun. That is uncalled for. You know, even if they had a paper or if they didn't, the kid is going to carry a gun anyway. Especially in my neighborhood, you have to have some type of protection, because you are not always safe. You know, take me, for instance——

Senator DECONCINI. So you think there should be a law banning guns?

Mr. MITCHELL. Right, especially——

Senator DECONCINI. And enforcing it?

Mr. MITCHELL. Right, especially the Uzi.

Senator DECONCINI. The assault weapons.

Mr. MITCHELL. That is right, because——

Senator DECONCINI. Do a lot of gang members have those guns?

Mr. MITCHELL. Yes.

Senator DECONCINI. Did some of your gang members? Did you have one?

Mr. MITCHELL. I will put it like this, at 11 years old, I packed a .9 mm and I moved on up to serious guns as I got older. I had an AK, I had a an attack—you know, I had guns. I had plenty of them.

Senator DECONCINI. There are plenty of them.

Mr. MITCHELL. I had plenty of them.

Senator DECONCINI. And they were used to kill people?

Mr. MITCHELL. Life is so bad, you know, I could see if they put a park on every corner in my neighborhood, but they don't. They put a liquor store. If they don't put a liquor store, they put a gun shop. The system was meant to get us down.

Senator DECONCINI. To get you to buy guns?

Mr. MITCHELL. That's right, because if it wasn't like that, they wouldn't be in my neighborhood where it is.

Senator DECONCINI. Let me ask you this: The reason they had these guns was to protect their neighborhoods from other gangs and what have you, or nongang members or what?

Mr. MITCHELL. Not really. If you take a kid in society and this kid is just stuck like me——

Senator DECONCINI. Explain that to me. Your gang would get guns. What would you protect, your project from people who would come in and burglarize it or——

Mr. MITCHELL. Right. See, what it was was a lot of drive-bys happen in my neighborhood, a lot of people got hurt.

Senator DECONCINI. I see, other gangs and what have you?

Mr. MITCHELL. So what we did was everybody needed protection. With a guy coming up with a gun on him and you haven't got one, you're dead. It is just like taking a knife to a gun fight. You have to have some type of protection over there in my neighborhood. It is rough. I don't know if everybody knows Buckeye Road. It is probably one of the toughest neighborhoods around. It is still where kids are out there at 11, 12, 13 years old, don't go to school, don't have no goals in life. Their parents are over here, they don't have a father, but the mother is over there smoked out on crack, got his little brother and she is pregnant, looking bad.

You ask him why are you not in school? All they have got to do is point. What do I need to go to school for? I don't have no clothes, every dollar my mama gets, she smokes it up. Look at my little brother. They look at me. I am out here, I have to survive. That is all I know how to do, is survive on the streets. I have to wait 20 years going through schooling in order to get money, in order for the payments to start coming in. But I could stand out here at 11 years old and sell dope and make just as much money. That is how kids are thinking, man. It is not like a brother my age, 20, 21 or 22 on up, saying, look, man, you've got to cut that out.

There are no male role models in my neighborhood. We were raised by strong black women, and when the male has left our lives, that is when the problems really started occurring. We did not have anybody telling us right from wrong from a male point of view. I mean a woman can raise her son, but a woman cannot raise her son to be a man. You know, you learn to be a man from a man, and that is something we didn't have, so we had to struggle and fight to really find out what a man was. I didn't find it out through banging, but at least I had comfort from my friends.

Senator DECONCINI. Kevin, thank you. What you are saying is some of the solutions, like Rosemarie said, involve getting rid of these guns all over the place, and developing programs that put some role models into the community.

Mr. MITCHELL. That is right.

Senator DECONCINI. And you are one of those role models, right?

Mr. MITCHELL. Yes, I am.

Senator DECONCINI. And how are you received by those gangs that you used to be part of? Do they talk to you?

Mr. MITCHELL. They respect me, because I am a bigger man to walk out of a gang, to get jumped out of a gang. It is not like they beat me up and said you're not in it no more. I walked out and I changed a whole bunch of lives. You know, that means a lot coming from them, because everybody in life wants something to look forward to and wants something to do. But when you are in a gang, you don't want to express that, because you want to be macho like the rest of your friends.

Senator DECONCINI. What happens when you and Carlos leave the gang? Do they ridicule you? Do they tease you? Do they threaten you?

Mr. MITCHELL. It is more like they are cheering me on, because if I can make it, that just goes to show them one of them can make it.

Senator DECONCINI. Carlos?

Mr. GOWAN. What I want to say is when they see people like us that make it out of the gang and that are succeeding in life, I think it makes a big difference in them, because they realize, they say, hey, you know, he can do it and he was like this, you know, he went from here to here, I can do that. They said they could do it, too.

The big thing in the Genesis Program is that almost all of us have brought a friend into the program or were brought in by a friend. I mean that is making a difference right there. We are taking the people from our communities and making them something. We are giving them hope. You know, people like me and Kevin, we give our friends, you know, people that——

Senator DECONCINI. Former gang members are friends?

Mr. GOWAN. Yes, former gang members, we give them hope. You know, we show them they can do it, because we can do it. We are leading by example.

Senator DECONCINI. When you get out of that gang like you are now, you can go back to those gang meetings and talk to them or go talk to these——

Mr. MITCHELL. I have gone in my neighborhood. I just left gang bang. I never left the gang. I still love them. You know, I still would do anything for them as far as trying to help them out——

Senator DECONCINI. And they respect that.

Mr. MITCHELL [continuing]. The same as I would do for any other gang, not just my gang. When I say gang, I work with gang members, regardless of what color, what race. It don't matter. You are involved, you need help, I am there for you.

Senator DECONCINI. How long have you been doing that, Kevin?

Mr. MITCHELL. About a year.

Senator DECONCINI. About a year.

Mr. MITCHELL. About a year.

Senator DECONCINI. How old are you?

Mr. MITCHELL. 21.

Senator DECONCINI. How old are you, Carlos?

Mr. GOWAN. I am 18.

Senator DECONCINI. Thank you very much. It is helpful, your testimony.

I could talk with you a long, long time and learn a lot, and I take what you say very seriously.

Ms. Lora Nye, our next witness, is Chairperson of the Phoenix Blockwatch, which is an organization that has promoted community responses to crime.

Thank you, Lora, for being with us. We are knowledgeable of the great work that your organization has done.

STATEMENT OF LORA NYE

Ms. NYE. Thank you, and I would like to add something to your statement. Blockwatch is much more than crime prevention. We are not just the eyes and ears. We are the heart of our community, and we are expending a lot more energy and time in being the heart.

It seems to always fall to me to be controversial, so I am not going to be any different today. I am sitting here listening. I am very emotional from what these fine young men have shared with us. Those of the press that are still here, please don't consider this an indictment, but what is happening here today is very indicative of what is wrong with our society.

You notice how much press there was here early on. You notice how all the chairs early on were filled. People cannot tough it out, and that is what is wrong out there. That is what is wrong. The adults in this community are not toughing it out. They are not even following through on the solutions that we already have in our community.

The press comes for little sound bites for the most part, and then they disappear. The most powerful thing that is happening in this room today, and I agree that will happen, just happened. But how well documented is it? How far out of this room will that powerful statement get?

These gentlemen just knocked down several myths, the myth that you have to be dumped out of a gang. He knocked that down. Is that going to be heard out there? Is that going to get reported and repeated? I doubt it. There are not enough people here willing to go that extra mile.

Now, much of what I wanted to say has already been said, so I will try not to repeat much of it. I want to say we must start younger, very, very young with our children. We have got to listen to our youth, listen to our youth. I have been a strong supporter of our curfew ordinance, and I held myself up to national ridicule by being interviewed by the national media on the juvenile gun ordinance.

I still support it. I still know what a difference it made in neighborhoods. The combination of juvenile guns and violence have become a modern way of life that is destroying not only lives, but it is destroying families and it is destroying neighborhoods. Of course, it is making tragic headlines all over the Nation.

It has become painfully obvious that many juveniles have no regard for life, not even their own. And it has been pointed out

today, and I need to say this again, that children no longer feel safe in schools. The root cause all too often is within the home. Our society has experienced a breakdown of family values to such an extent that juveniles are searching in all the wrong places for support, acceptance and self-esteem. That leads them to gangs, drugs, alcohol and guns.

We should all be caring for and about our children. The entire neighborhood should be helping to raise and care for our children. Our Forefathers would be appalled and outraged at what we have done with the second amendment. How could they have ever envisioned Uzis and other automatic and semi-automatic weapons in the hands of children and teens? The second amendment should not be a sacred cow.

Our Forefathers had just cause to insure our right to bear arms, and I support that right. However, children and teens in the time of our Forefathers were bearing muskets and shooting targets, not each other. I can't help but wonder if our juveniles were shooting and killing adults, instead of each other, what difference in attitudes we might have.

There are many victims of shootings and violence, both obvious and hidden. My own neighborhood has experienced murders and drive-bys. It took the peace of an entire neighborhood away. They armed themselves. They were sleeping in cars and backyards and on patios, with guns. It was a terrible time.

That is when I knew I had to stand up and I had to take a stand and I had to decide the future of my neighborhood, because I chose not to move. Like Sophia, I chose to stand and fight. I have sat in emergency rooms and in homes with families who became victims of many kinds of violence, including guns. How do you comfort a family, when there is no sense to be made of their loss?

Our streets and emergency rooms are covered with the blood of our hopeless youth. How much longer are we going to allow this blood to flow? When are we adults going to take responsibility and stop hiding behind the second amendment? As responsible and caring citizens, it is time to take a stand. Juveniles and guns equal violence. So we must create new laws and enforce existing ones, to curtail violence by guns.

Most of all, adults must act out of abiding love and a depth of concern to find a way to break the unending rein of violence. There are solutions. We have heard them over and over in this room. We must act on what already exists. We must find new ways to deal with this terror and this unbelievable loss of talent, and we must do it with great courage, and we must stop the violence by acting now.

Senator DECONCINI. Thank you very much.

This Senator is listening, believe me, and learning a great deal. Let me ask you all this question, if you will respond, including Carlos and Kevin. The American Psychological Association Task Force on Television—and we were talking about the press or the media—noted that by the time the average child graduates from elementary school, she or he will witness 8,000 murders and 100,000 assorted acts of violence.

In your opinion, particularly the gang members', but also those of you who work with children, all of you, does the TV violence really bring up more aggression than if there was——

Mr. GOWAN. I was just involved with something like that at Channel 3, where I met with many members of representatives from different stations and I talked about that. Violence on TV does have an effect, but more of it is the violence that we see in our own communities, in our own homes and our own streets. None of us asked to be born into the life we are born into. If we had our way, I would have rather lived in Scottsdale. I would have rather come up in a nonviolent neighborhood and lived a good life and gone to college and done everything the right way and not had to learn the hard way.

I didn't ask for there to be drugs in my neighborhood. I didn't ask for there to be guns and violence. I was born into that, and it has been there for such a long time, and as long as it stays in the community and as long as it affects for the most part minorities, noting is going to get done about it, because we are not represented in the Government, and because the violence is not affecting the people that have the ability to do something about it, nothing is going to get done.

I am sorry, but one of these days, if nothing is done about it, one of these days some of these people in this room who don't know anything about it might be in my neighborhood and they could get killed for the change that they have in their pocket.

Senator DECONCINI. Thank you, Carlos.

I don't mean to dismiss what you said about the neighborhood. What I was trying to focus on is your opinion as to whether or not there should be some curb on the media presentation of violence, whether or not—and that is a constitutional question that is very sensitive, you know, because we don't want to stop free speech, first amendment and all this stuff. Just like the second amendment, those who advocate strict compliance with that, they don't want anybody to even look at a gun and consider it dangerous, that everybody should be able to do it. The same thing with the first amendment, people don't want anybody to infringe on that.

My question really was whether you thought that this TV violence did affect the neighborhoods. I appreciate your other answer, because it is a very good answer. I guess you said yes, but it is not nearly as significant as the problems which are in your neighborhood.

Kevin?

Mr. MITCHELL. TV violence, it don't really affect us over in my neighborhood, because the TV violence that they put on TV, we make it. The media makes that, every drive-by, every shooting, everything we do is publicized on TV. That is the first thing a child thinks, I'm going to make the news tonight. Do you know how many youngsters I have heard to say that, I'm going to make the news tonight? So it really don't affect us, because we see it every day.

Senator DECONCINI. What about the TV programs?

Mr. MITCHELL. Well, the programs, Magnum PI, shoot-em-up, bang-bang——

Senator DECONCINI. Do those raise aggression?

Mr. MITCHELL. Well, we get off on watching that, because of the guns.

Ms. NYE. That is the point.

Senator DECONCINI. Please, Lora?

Ms. NYE. I don't usually bring my work in, but I worked for a psychiatric hospital for the last 15 years and a great deal of our patients are coming in with major depression and suicidal and homicidal, and that has changed drastically in the last 5 years. When we do the initial assessment and evaluations, the information that we are gathering is that their lives are being impacted. The media is frightening some of these people into major depression, because they are impressionable and they are not able to understand that that is an inanimate, not real——

Senator DECONCINI. Entertainment.

Ms. NYE [continuing]. Entertainment. OK. We get that point made with him, we are working in therapy and we are helping him understand that. But then what these young men shared with us, then they have to watch on the news what is real, what can happen on their street, and then we lose them, we can't save them. They spend many, many nonproductive hours dealing with this depression as a direct result of being bombarded by information of violence acts. So please let me say strongly, yes, it has a documented impact.

Senator DECONCINI. There is an effort in Congress to require the electronic media to rate their programs, which would be a minor step, in my judgment, but at least a step in the right direction. I don't know that it would do any good, but it certainly would bring at least the distinction that this is entertainment and not real life. Does anyone else care to comment? Sophia?

Ms. LOPEZ. I had the honor to go to Kansas City to the Peace Summit that they had with the gangs, and while we were there, the media was ready to come in and publicize what was happening in this summit. And one of the things that a lot of the gang members—and these are not these little want-to-be gang members, these were hard-core gang members from all over the country—one of the things that one of them said is, you know, yes, we are labeled to be bad and murderers and doing all the bad things that the media says we do and who have also done these things.

But they said, you know, what they need to publicize also is like these two young men that are out of the gangs and are doing something good, that needs to be publicized. That way, a little gang member will say, well, I am going to follow Kevin, I am going to follow Carlos, and if they could do it, I can, too. These things need to be shown and publicized.

An article that was in the paper a couple of weeks ago on gangs, it was so misquoted. Naming the names of the gangs is one of the biggest problems. Right now, LCN, West Side Power and South Side Posse are saying, well, I made headlines. You know, what does that tell——

Senator DECONCINI. So that is damaging.

Ms. LOPEZ. Right, and that needs to stop.

Senator DECONCINI. Nancy?

Ms. JORDAN. I think that the repeated exposure to visual images of violence does have an effect. I think it tends to desensitize both

adults and children to the actual effects and consequences of violent acts.

I think, as children, we all remember the first time we saw a movie or saw television when we weren't sure exactly what was real, and I think as children are exposed at very early ages and spend so much time watching television, that that does have a way of making those kinds of solutions, violent solutions, as Kevin was saying, more acceptable. I think they lend a legitimacy to resolving things in a way that you can take things into your own hands, and as long as the solution seems to be the one you desire, and somehow in between how you got there, whether you used a gun or your fists or whatever doesn't seem as important.

In talking with a lot of the students, I think sometimes there is a sort of nebulous realization of what is real and what is not in terms of consequences. Because I think what is important to remember is that they may be 17 or 18 years old, 15 or 16, but that is not really a very old individual. In many ways, they are still children and they have seen more violence on television and in their own communities than we can comprehend.

Senator DECONCINI. Rosemarie?

Ms. ROULHAC. I was just going to say that I agree with Sophia. Kevin and I attended the Law and Media Seminar here in Phoenix not too long ago, and through that we met a lot of media and I challenged them, because I feel that one of the things they have created is an epidemic, and it is the same thing. You hear the stories over and over, they are on the street corner, they are getting drunk, loaded, whatever, and then they say let's go do a drive-by, let's go back news.

Well, everybody follows this. The media is in front of the house, you can see the address, so you have created another drive-by. You see them in front of hospitals. We had one situation where a young man was shot while he was on the operating table. A rival gang called and said we don't know why you are operating, he is dead meat, because this was on the news at the hospital. My challenge to the media was give me 52 stories, one a week of these guys.

Senator DECONCINI. You don't see them.

Ms. ROULHAC. And so they create a hero of the week, but it is the adults, it is not Kevin, it is not Carlos. These are the guys. This is the answer. Sophia, Nancy and I, we can get the resources, but we are not going to make the changes. These guys are going to do it. They are going to pull it out. Kevin gets one, that gets one, Carlos gets one. It is a multiple effect, and the media can help these guys with their job, instead of them being put down.

I get all the time, "Are they for real? Are they really out? They make so much money selling drugs"——

Senator DECONCINI. I know, I can tell they are for real. But you know what is interesting? I don't know if you know—and we are running out of time. I could go on for a long time, and I did want to ask you a question about conflict resolutions, but I may have to put it off. How many Kevins and Carloses are there?

Ms. ROULHAC. There are a lot of them.

Ms. NYE. A lot.

Senator DECONCINI. Are there hundreds or what?

Ms. NYE. At Bostrom Mallone, we do peer counseling at Bostrom, which has just ended and we are hoping to bring it here to Phoenix College, so the kids can continue to meet, we have 15 girls and 17 guys all want out, want resolutions to this, want resources.

Senator DECONCINI. How many are out?

Ms. NYE. Lots.

Senator DECONCINI. Nancy, you have got 178. How many of those are—you know I am going to see the program, so you don't need to go into it all this afternoon—but how many are out there helping others and making it, most of them?

Ms. JORDAN. A lot of them are.

Senator DECONCINI. You have a followup, I suspect to try to——

Ms. JORDAN. Yes. What has happened is that a lot of the students have started their own, like Kevin goes out into the community and speaks to young people in junior high and elementary school. Just to give you an indication of the level of need and the desire to change, we take about 40 to 50 students every 3 or 4 months. We had over 250 calls on those 50 slots.

Senator DECONCINI. And you had to say no to a lot of those, most of them?

Ms. JORDAN. A lot of them, because there is no place for them to go.

Senator DECONCINI. Yes, Lora?

Ms. NYE. One strong final thing I would like to say is we need to form new partnership in our communities. On Thursday, I went with some other people and we met with the line editors and we talked about the things you just talked about.

Blockwatch has formed a partnership with the police department, the city council and the mayor's office. That is pretty unique in itself. And I went asking the newspaper to join us as a partnership, that we can't publicize just the negative all the time. For instance, the prostitutes could get full-page front cover the other night, but a dynamite program that we had going out in the neighborhood had to be way back inside. I didn't even ask them to do good news/bad news. I just asked them to give us an occasional shot of successes, instead of all negatives.

Senator DECONCINI. I am not going to ask you what they said. I have been down there, too. [Laughter.]

Ms. NYE. Actually, they asked me to feed them a story, so I am going to get this story to them today.

Senator DECONCINI. Thank you very much. I wish I had more time. This is very, very helpful and I may call on you. And Dennis Burke, my counsel here may call on you also. I think there are some things that the Federal Government could be involved in.

Ms. NYE. Thank you.

Senator DECONCINI. We are going to take a 5-minute break, and then our next panel can come up and sit. [Recess.]

Senator DECONCINI. We will continue.

Our next panel includes Sheriff Joe Arpaio, Maricopa County Sheriff, with a long career in drug enforcement, agent in charge, among other things, right here in Phoenix for a number of years. Robert Corbin, former Attorney General, State of Arizona, President of the National Rifle Association. And Gerald Richard is a Special Assistant to the Chief of Police for the City of Phoenix. He

works extensively on youth issues and has become a true expert on gangs in Phoenix.

We appreciate all of your testimony. Mr. Richards is known and respected for his work on gangs in this community and outside the community.

We will start first with Sheriff Arpaio. Sheriff, thank you for being here and taking the time. I know you have got your hands full looking for people and enforcing all the laws here, and you are doing a marvelous job. Notwithstanding any criticism, I think you are one of the great sheriffs of this State.

PANEL CONSISTING OF JOSEPH M. ARPAIO, SHERIFF, MARICOPA COUNTY, AZ; ROBERT K. CORBIN, PRESIDENT, NATIONAL RIFLE ASSOCIATION; AND GERALD P. RICHARD II, SPECIAL ASSISTANT TO THE POLICE CHIEF, CITY OF PHOENIX

STATEMENT OF JOSEPH M. ARPAIO

Mr. ARPAIO. Thank you, sir.

I am honored to testify at this field hearing on juvenile justice. It is great to be back in law enforcement. You and I fought the drug battles many years ago. Fortunately, you are still fighting the drug battles from Washington and in the State, and I feel confident that we are going to reduce that vicious problem.

As Sheriff of Maricopa County, I am responsible for law enforcement in an area larger than my own Commonwealth of Massachusetts, with a population of over 2.5 million people. I am concerned about youth violence. More concerned still are the sheriffs deputies and police officers who routinely risk their lives in dealing with children, savagely violent children.

You are familiar with the Duty case. He is on trial for the 1991 murders of Buddhists in a temple west of Phoenix. Duty was 17 years old at the time of the killings. The prosecution's primary witness in the trial that is going on now, Elesandro Garcia, who was 15 when the 9 victims died from .22-caliber bullets fired into their heads.

Garcia said in his confession that Duty had systematically killed 9 during an armed robbery, so there would be no witnesses. In confessing his part in the temple murders, Garcia also admitted to encouraging his girlfriend to shoot a woman who was camping in a county park. The girlfriend, Michelle Hoover, was 14. She says she pulled the trigger, because of her love for Garcia.

Meanwhile, another case investigated by my office, the Tomosomie sisters, 11 and 12 years old, accused of murdering their mother with a .357 Magnum pistol, then taking money from her purse for a shopping spree.

Those are not all the cases of violence by youth pending in Maricopa County. They are merely the worst. In all, 1,896 juveniles were charged with violent crimes, murder, rape, robbery and assault during 1992. Why such a massive change in youth since 1942? That year, a survey identified the worst problem in the Nation's schools was gum-chewing in the classroom. When the survey was repeated in 1982, rape was declared the worst problem. I suspect that an identical survey today would turn up homicide as the leading problem in schools.

I will not attempt to deal with all the causes of increasing youth violence, child abuse, single parents, role models, ineffective schools or shortage of recreation opportunity, and so on. However, before law enforcement can do anything really effective against youth violence, we must overhaul the juvenile justice system that was established in another era to deal not so much with violent crime, as with youthful mischief, truancy, petty theft and other offenses so minor that they scarcely qualify as crimes in the 1990's.

The juvenile system is not a revolving door, as it is so often described. The system has no doors, nor any walls. It is a tattered shed. The typical juvenile offender comes and goes, usually committing more serious offenses after each departure. The process continues through a long series of crimes, until the youngster is at least sent to a youth correctional facility. Usually, the stay is measured in weeks. For many young criminals, the brief incarceration provides an adventure to brag about. As long as that system continues, law enforcement is seriously limited in what can be done about youth violence.

Criminologists tell us that swift and certain punishment is the only deterrent to crime. The juvenile system must be overhauled to provide that deterrent before crime develops into a career. I do not propose a Devil's Island for children. Juvenile Justice must offer a menu of opportunities for rehabilitation. But children must know that crime will be punished.

I realize that there is a lot of sympathy for gun control measures, specifically directed at juveniles. I see no damage to the second amendment by a law that would prohibit children from carrying guns willy-nilly. After all, the right to bear arms is linked by the Constitution to the citizen's obligation to militia. In Arizona, the minimum age for militia is 18. Of course, any control should provide exemptions for youngsters who engage in hobby shooting, a wholesome activity that doubtless keeps them out of trouble with the law.

Perhaps it is significant that America's problem with gun crime increased as this ceased to be a nation of veterans trained by the military in the use of firearms. I recall that the training included harsh lessons in the careless handling of firearms and the lethal potential of bullets. I wonder if our streets might become safer, if today's youth receive similar training offered perhaps by the National Guard. There is encouraging precedent. Arizona has practically eliminated hunting accidents through gun safety courses offered to youngsters by the Arizona Game and Fish Commission.

I am troubled, however, by notions that a gun control law will put an end to crimes committed by armed juveniles or either significantly reduce such crimes. Juvenile violence decries such simplistic approaches. That worst gun law might encourage some youthful criminals to carry and use guns as the ultimate sign of defiance of social order. At best, a sensible gun law would provide police with one more useful tool.

Automobiles may be more troublesome than firearms, when it comes to juvenile crime. The automobile provides youthful offenders with the mobility to commit crimes far from home and witnesses who might recognize them. The automobile also makes for quick get-aways. Perhaps it only states the obvious that the auto-

mobile is as essential as a firearm to the drive-by shootings that worry us all so much. In a search for answers, maybe we should consider car control, say a curfew for teenage drivers. The State might inspire a lot of the youngsters, by demanding good grades and good behavior as conditions for issuance of a driver's license.

Mr. Chairman, I can go on and on about the television and Hollywood and so on, but I know we are short of time, and I will be glad to answer any questions.

[Summary of statement by Joseph M. Arpaio follows:]

SUMMARY OF STATEMENT
PRESENTED TO
SENATOR DENNIS DeCONCINI'S
JUDICIARY SUBCOMMITTEE ON JUVENILE JUSTICE
By
JOSEPH M. ARPAIO
MARICOPA COUNTY SHERIFF

Five juveniles--the youngest an 11 year old girl--are accused in 11 murder cases pending in Maricopa County. And those are only the worst cases of violent crime involving 1,896 juveniles.

Law enforcement is impeded in its efforts to cope with juvenile crime by an antiquated juvenile justice system that fails to impose swift and certain punishment on juvenile offenders.

New law that is fully in compliance with the Second Amendment would not put an end to crimes committed by armed juveniles, but it would provide police with a useful tool. Training in firearms safety and limits on juveniles' use of automobiles might also prove helpful in reducing youth violence.

The gratuitous depiction of violence on television and movie screens encourages violence among juveniles. Voluntary restraints by the entertainment industry are the answer.

Testimony

Mr. Chairman, Senator DeConcini, I am honored to testify at this field hearing of the Senate Judiciary Subcommittee on Juvenile Justice.

As Sheriff of Maricopa County, I am responsible for law enforcement in an area slightly larger than Massachusetts, with a population of more than 2.5 million people. I am deeply concerned about youth violence. More concerned still are the sheriff's deputies and police officers who must routinely risk their lives in dealing with children -- savagely violent children.

Sad to say, in Maricopa County, Huck Finn has been replaced by the likes of Jonathan Doody.

In case Jonathan Doody is not a familiar name to the subcommittee, he is on trial here for the 1991 murders of nine Buddhists in a temple west of Phoenix. Doody was 17-years-old at the time of the killings.

The prosecution's primary witness is Doody's accomplice, Alessandro Garcia, who was 15 when the nine victims died from .22 caliber bullets fired into their heads. Garcia says in his confession that Doody systematically killed the nine during an armed robbery so there would be "no witnesses."

In confessing his part in the temple murders, Garcia also admitted to coaxing his girl friend to shoot an unsuspecting woman who was camping at a county park. The girl friend, Michelle Hoover, was 14 then. She said she pulled the trigger to prove her love for Garcia

Meanwhile, another case investigated by the Maricopa County Sheriff's office involves the Tomassoni sisters, 11 and 12, accused of murdering their mother with a .357 magnum pistol, then taking money from her purse for a shopping spree.

Those are not all the cases of youth violence pending in Maricopa County. Those are merely the worst. In all, 1,896 juveniles were charged with violent crimes--murder, rape, robbery, and aggravated assault--during 1992.

What has wrought such a massive change in youth since 1942? That year, a national survey identified the worst problem in the nation's schools as gum chewing in the classroom. When the survey was repeated in 1982, rape was declared the worst problem. I suspect that an identical survey today would turn up homicide as the leading problem in schools.

I won't attempt to deal with all the causes of increasing youth violence--child abuse, single parents, the lack of role models, ineffective schools, a shortage of recreation opportunity, problems with self-esteem, racial and ethnic discrimination. I will limit my remarks to the perspective of a cop on a few contemporary topics.

Before law enforcement can do anything really effective against youth violence, we must thoroughly overhaul a juvenile justice system that was established in another era to deal not so much with violent crime as with youthful mischief--truancy, petty thefts and other offenses so minor that they scarcely qualify as crimes in the 1990s.

The juvenile justice system is not a revolving door, as it is so often described. The system has no door, nor any walls. It is a tattered shed. The typical juvenile offender comes and goes, usually committing more serious offenses after each departure. The process continues through a long series of crimes until the youngster is at last sent to a youth correctional facility.

Usually, the stay is measured in weeks. For many young criminals, the brief incarceration provides an adventure to boast about.

As long as that futile system continues, law enforcement is seriously limited in what it can do about youth violence. The criminologists tell us that swift and certain punishment is the only deterrent to crime. The juvenile justice system must be overhauled to provide that deterrent before crime develops into a career.

I do not propose a Devil's Island for children. Juvenile justice must offer a menu of opportunities for rehabilitation. But children must know that crime will be punished.

I realize that there is a lot of sympathy for gun control measures specifically directed at juveniles. I see no damage to the Second Amendment in law that would prohibit children from carrying guns, willy-nilly. After all, the right to bear arms is linked by the Constitution to the citizen's obligation to militia. In Arizona, the minimum age for militia is 18. Of course, any control should provide exemptions for youngsters who engage in hobby shooting, a wholesome activity that doubtless keeps some out of trouble with the law.

Perhaps it is significant that America's problems with gun crime increased as this ceased to be a nation of veterans, trained by the military in the use of firearms. I vividly recall that the training included harsh lessons in the careless handling of firearms and in the lethal potential of bullets. I wonder if our streets might become safer if today's youths received similar training, offered perhaps by the National Guard. There is encouraging precedent. Arizona has practically eliminated hunting accidents through gun safety courses offered to youngsters by the Arizona Game and Fish Commission.

I am troubled, however, by notions that a gun control law will put an end to crimes committed by armed juveniles, or even significantly reduce such crimes. Juvenile violence defies such simplistic approaches. At worst, gun law might encourage some youthful criminals to carry and use guns--as the ultimate sign of their defiance of social order. At best, sensible gun law would provide police with one more useful tool.

Automobiles may be more troublesome than firearms when it comes to juvenile crime. The automobile provides youthful offenders with the mobility to commit crimes far from home and witnesses who might recognize them. The automobile also makes for quick getaways.

Perhaps it only states the obvious that the automobile is as essential as the firearm to the drive-by shootings that worry us all so much. In our search for answers, maybe we should consider car control--say a curfew for teen-age drivers. The state might inspire a lot of youngsters by demanding good grades and good behavior as conditions for an initial driver's license.

Since network executives already confess to broadcasting excessive violence as entertainment and pledge to change their ways, I am hopeful that the movie industry will volunteer similar restraints. I don't propose to forbid screen versions of "Hamlet" because of the body count in the last act. Art and free expression might actually blossom if Hollywood gets by on fewer explosions, less automatic weapons fire and fewer bare-hand executions.

Most of us recall Saturday afternoons spent in the darkness of a movie theater, enjoying the thrills of cowboy shoot-outs or cops and robbers brawls--good guys versus bad guys. Those scenes do not bother me. I worry, though, about entertainment delivering frequent messages that violence is the best response to virtually any challenge. In one recent action film, the lead actor, the chairman of the President's Council on Physical Fitness, stands in a moment of triumph waving severed human arms with each of his powerful hands. Surely, images like that do not improve minds--young or old.

Mr. Chairman, Senator DeConcini, I appreciate the opportunity to offer these views for the Senate Judiciary Subcommittee on Juvenile Justice. I'll try to answer any questions.

Senator DECONCINI. Thank you, Sheriff. We appreciate that. We will have some questions.

Mr. Corbin?

STATEMENT OF ROBERT K. CORBIN

Mr. CORBIN. Thank you, Senator.

Most of the things have been said here, other than my position here as President of the National Association, to protect the law-abiding citizen's right to keep and bear arms.

I personally believe that television has a lot to do with the criminal problem we have in this country today. You can turn on Saturday morning's programs for kids, these cartoons, and you see them beating each other with clubs and you see them doing all of these things. Kids today who get a lot of their education through television are seeing these, from 3, 4, 5, 6 years old. Violence is a way of life out here.

I know that the first amendment says freedom of the press, but like all of the amendments to the Constitution, there could be reasonable regulations on them. So I commend the Senate for having the hearings on the television violence that we see today on television. I think it is a great step.

I know you are going to hear, just like the media wants to take away our second amendment, but everybody screams about the first amendment, that is wrong, you are not supposed to do that. But all of our amendments can be reasonably regulated.

Now, we talked about the bill here just passed by our legislature. It was NRA who drafted that bill and introduced it and lobbied it. It did not come through the way we proposed it. First, we wanted kids to be able to have parental permission to be able to possess a weapon. That was stricken. They may have them without parental permission, if they are going hunting or if they are going to target practice. Other than that, they cannot have one to do that.

In addition to that, we had in that bill that you should treat, with certain exceptions, kids 16 and 17 years old as adults. You know, Senator, I am not going to tell you anything from Arizona, but when our Constitution was adopted back in 1912 and we said that the juvenile age limit was 18, kids at that time were 16 and 17 years old were 16 and 17 years old in that day.

Today they are not. A 16- and 17-year-old today is equivalent to a 20- or 21-year-old, but yet we do not want to deal with them. They want to commit adult crimes, robbery, rape, murder, shootings, everything like that, but we have a revolving criminal justice system in this country today.

You know, Joe said that the purpose of law enforcement—and you were county attorney and I was county attorney and attorney general—justice, to be effect, but be sure and swift, and it is not today. When it takes 12 to 14 years to execute somebody for first-degree murder, when it is a revolving door that they serve such little bit of time on robbery and rape—70 percent of our crime in this country are committed by recidivists out here. We are doing nothing to deal with the criminal justice system, and I think it needs to be fixed. If it is not fixed and it is not fixed sooner, we are going to have more problem.

You know, the people who buying most of the guns in this country are women today. They are the ones who are buying the guns for protection, to protect them from predators out here who are raping them, who are murdering them and who are robbing them. They are not buying them because they want guns. They are buying them for protection.

I am not blaming law enforcement. They cannot be everywhere at all times, but they cannot protect us today. And if anybody is honest in law enforcement, and I was for most of my professional career, we cannot protect the law-abiding citizen out here.

Now, I know about talking about getting budget cuts. All over this country, budgets are being cut for law enforcement. Yet, I hear this great hue and cry, let's take away the guns from the law-abiding people, so that only criminals have them.

Senator you heard them talk about guns in schools. Five years ago, I think it was, Congress passed a law making it a Federal felony to bring a gun into a school. Has it been enforced? No. have you heard of anybody prosecuting somebody for bringing a gun in a school through the Federal felony law? No, I have not.

We have it in the State where you can't bring a gun on school grounds within 1,000 feet of the school grounds. Have there been any prosecutions on it? No; Senator, there are over 20,000 guns laws in this country right now. Have they done any good to take the guns away from the criminal out here? The only people who obey the law are the law-abiding. You know, there are 65 to 70 million gun owners in this country, and 99.7 percent of those people do not misuse the guns. It is less than 0.3 percent of the people who do.

Senator I thought in this country we punish those who violate the law, not the law-abiding people. We have to protect ourselves today. You heard the gang member testify. He had to get a gun to protect himself. That is true. We are not dealing with the criminal, the one who misuses the gun.

I heard you say, Senator—and I hate to criticize or correct a Senator—you talked about the assault weapon. The assault weapons is a fully-automatic weapon. As you well know, it has been regulated since 1934. You know that since 1934 there has been over 230,000 permits issued by BATF, and not one single person of those law-abiding people have misused that automatic weapons. That is the truth. That is your own figures.

The semi-automatic weapon, which you call an assault weapon, it is not an assault weapon today. It is a semi-automatic weapon, that is what it is. They have been manufactured for 100 years, they have been on the market. All of a sudden, they make them look military and they are evil out here.

Now, I have seen FBI statistics that show that less than 1 percent of the guns confiscated in this country from criminals are the so-called assault weapons. Most of your police chiefs, if they are honest, will say they are not a problem in this country. I do not see kids carrying an AR-15 to school or anything like that. What they are carrying are handguns. That is what they are.

I guess the best example I can give to you, Senator, I don't know if you saw Nightline after the riots over in L.A. They had this black police officer and he was head of the black police officers

union. C. Everett Koop was the other one on the other side, and he was saying that there were medical problems, health problems, we have to do away with the guns here.

When they turned to this black police officer, Ted Koppel said what do you think about this? He said this man doesn't know what he is talking about. He said the criminal will always get the weapon. He said they don't have driver's licenses. They steal their cars. What makes you think that the criminal will give up his weapon?

Senator we cannot take the drugs out of the hands of the criminals. Do you think you are going to take the guns out of the hands of the criminals? They don't obey any law now. They are not going to obey any law that you pass or anything like that, taking away the guns from the law-abiding people who today have to have them to protect ourselves.

I heard somebody say that an assault weapon has no purpose except to kill people. They don't know what they are talking about. We had the 100th anniversary shoot out at Black Canyon about 2 months ago. There were 85 teams, 4 members to a team, about 90 percent of them were kids under the age of 18 were shooting, and they were all shooting so-called assault weapons, the military-style semi-automatic rifle. They were all shooting them in the matches out there.

We made the remark we wished some of these people who are opposed to it, you yourself, Senator, would come out here and see these kids shooting these so-called assault weapons out here. I mean they have other purposes.

The MC program, which is a Federal program which you all fund, assault weapons, that is what they shoot, the R-15, you know, all of these, the M-14's and everything else, that is what they shoot out here. So there are a lot of other purposes rather than what people say to kill other people. They don't know what they are talking about.

Consequently, I really believe that the problem you have got to deal with, Senator, is to get tough with the criminal out here. I have lived it. I have seen it, and so have you, and you were county attorney. We have got to get tough with the criminal and make it mean something when we send them to prison out here, that it means something.

I personally believe three strikes and you are out, as we are supporting up in the State of Washington. Arizona used to have that law. You commit three felonies and you are locked up for the rest of your life.

I heard Judge Feldman say here this morning it is too costly. Take a look at 1986, the Bureau of Justice Statistics study. They did a study on the cost of incarceration versus nonincarceration. That study said that it costs $430,000 a year not to incarcerate a person versus $20,000 to incarcerate them, that you saved about 187 felonies by locking them up, rather than putting them back on the street through probation.

I can give you—and I did in the written part of the testimony here—that in the juvenile court system, crime after crime after crime being committed, being put back on the street to commit other crimes. We have got to get tough with the criminals, Senator,

and until we do get tough with them, then we are going to continue having this problem that we have today.

Three strikes and you are out, I suggest that. I think that reducing the juvenile age limit to age 16 and 17 years old and treating them as adults, if they commit adult-type crimes, so we can get off the streets. Build facilities.

You know, we had a phone conversation a couple of months ago about using the military bases that are being closed down for minimum-security prisons, and you were kind enough to send me the study that was made. Senator, I hope you have read it. It turned my stomach, to be honest with you. The study to me was why not to use them for things.

Senator DECONCINI. I was not impressed with the study.

Mr. CORBIN. I was not impressed by it at all. When they stop and say in that study that there is hazardous waste on these bases and you can't lock up these criminals, it is OK for a military to be there, but we can't lock up these criminals? I got so mad, I just tore it up and threw it in the wastebasket. But I thank you for sending it to me.

You know, we can use these bases. Williams Air Force Base, it has got mess facilities, it has got barracks. We can't lock up the hard-core in there, because they can get away. But we can take them out of the regular prisons at Florence and the other prisons around the country and put them in these military bases here. You know, the check-kiters and the drug users and people like that that get sent to prison, they don't need to be locked up behind bars. Let's use some of these military bases. My gosh, the taxpayers have got millions and billions invested in them. Let's just them, instead of just shutting them own and forgetting about them.

But we have got to get the criminal off the street and make the streets safe for law-abiding people. That is what government's primary function is, is to make the streets and homes for the law-abiding citizens safe, and they are not.

I have said it, the criminals run the streets. It is us the law-abiding who are living in our homes behind barred windows and burglar alarms and everything else. So the problem is the criminal. It is not guns. It is easy to blame guns. Just like nobody blames the car when a drunk-driver runs a red light and kills somebody. We blame the drunk-driver, not the car. It is not the guns, it is an inanimate object. It cannot function without the individual.

If this government and this country does not get back to accept personal responsibility on people, then we will never solve this problem. I did not make them commit murder. You did not. They did it themselves. Now we need to help them. We need to catch them early.

I love this bit about it's a first-time offender. No, it is the first time they have been caught. They have probably committed 50 or 60 crimes before they got caught. They are not first-time offenders, most of them are not. We need to get to them.

I would love to see you appropriate money down to these women here, neighborhood watches and things like that, not through government, but to the people individually, so they will get it themselves to be able to expand these programs, because they do work.

We need to build more prisons, because it is a lot cheaper, according to Bureau of Justice Statistics, to do that. I am just tired of blaming the guns. Blame the individual who is misuing them.

[The prepared statement of Mr. Corbin follows:]

TESTIMONY OF ROBERT K. CORBIN

Good morning Mr. Chairman and Senator DeConcini. My name is Bob Corbin. From 1979 through 1990 I served as the Attorney General for the State of Arizona and now I serve as the President of the National Rifle Association. On behalf of the NRA, please accept my thanks for your invitation to testify before the subcommittee on the important subject of youth violence and the juvenile justice system response.

Let's examine two strategies to counter youth violence -- community action to prevent violence and criminal justice reform to punish and deter criminal violence.

First, let's discuss violence prevention. Last year, Professors Joseph Sheley, Zina McGee and James Wright published "Gun-Related Violence in and Around Inner-City Schools" -- the results of a cross-sectional survey of ten inner-city high schools in several states. Noting that "nearly everything that leads to gun-related violence among youths is already against the law," the researchers' prescription was neither more gun restrictions, metal detectors nor shake-downs of students, but "a concerted effort to rebuild the social structure of inner cities."

Sheley, McGee and Wright found that violence in our schools does not spring from the classroom floor: "Rather, violence spills into the schools from the world outside.... Structurally, we are experiencing the development of an inner-city underclass unlike any in our past. In a shrinking industrial economy, we are witnessing the disintegration of the traditional family, increasing poverty and homelessness, diminishing health, and deteriorating educational institutions."

In a related work, Wright and Sheley echo the theme of a crumbling social structure that leads our nation's youth to violence: "Isolation, hopelessness, and fatalism, coupled with the steady deterioration of stabilizing social institutions in the inner city ... have fostered an environment where 'success' implies predation and survival depends on one's ability to defend against it."

Only by planting a sense of community can we weed out isolation. Only by grafting hope into youth at risk can we root out hopelessness and fatalism. Only by

changing people's minds and lives can we foster an environment where success no longer implies criminal predation.

One way to begin is to counter the influence of violence on television.

When television subjects youth to thousands of hours of terrorism, brutality and violence, the result is more than a mere tendency among young people to act out in violent ways. Antisocial TV programming unleashed in a culture of isolation, hopelessness and fatalism fosters a subculture of violence in which values are upended and brute force rules. We are witnessing Lord of the Flies, circa 1993.

University of Washington epidemiologist Brandon Centerwall, Ph.D., has found "a positive relationship between exposure (to television violence) and physical aggression." Centerwall goes further to say that "if, hypothetically, television technology had never been developed, there would be 10,000 fewer homicides each year in the United States, 70,000 fewer rapes and 700,000 fewer injurious assaults. Violent crime would be half what it is."

The NRA recently submitted testimony to Congress regarding the connection between television violence and increased violent behavior among our youth. Noting increasing public support for a violence-rating system and other interventions, NRA has recommended citizen activism as a key element in turning back the tide of electronic mayhem that pours into American homes night and day.

Besides community activism to combat violence in television programming, what else can communities do?

Neighborhood Patrols

Law-abiding residents are banding together and walking their streets to expose drug buyers and force drug dealers away. In Washington, D.C. citizens armed only with orange caps and special lighting provided by authorities, these people shoulder gangs and drug dealers away from decent neighborhoods.

Save Youth at Risk

When polled, the vast majority of Americans express the belief that a deterioration of values is what's behind the problem of youth and violence. In an as-yet unpublished proposal to reduce violence in downtown New Orleans, Shirley and

Wright note that inner-city violence springs from the "erosion of traditional, informal social control mechanisms within the community.

"The waning influence of the elderly, for example, has produced the loss of both a social network able to identify problems in the neighborhood and the ability of respected citizens to intervene effectively in emerging disputes. . .

Among the types of persons most likely to be involved in shooting incidents, by neighborhood residents' accounts, are young men who have a history of disruptive behavior with the community . . . [L]eaders of the community argue persuasively as well that most of these youth could have benefitted from early community-based (as opposed to criminal-justice) intervention before 'careers' of disruption progressed."

This same sentiment was shared by three NRA members in Houston, Texas. The three African-Americans decided to form an association to counsel youth, monitor school performance and attendance, and form an informal network of youth members who would encourage new youth members to adhere to a high standard of moral behavior. On weekends, the leaders would take the inner-city youth out of town for experiences in the wilderness. When it began, the group consisted of 3 adults and 30 young people. Today, the Royal Bushmen Association is 60 adults and 300 young people. This home-grown, community-based activism is saving youth at risk.

Now, let's examine what we feel is the appropriate province of government: an effective juvenile justice system to punish and deter criminal violence.

The NRA recently initiated a new division called CrimeStrike as a means of developing a response to the problems of violent crime our nation is facing. In a word Crimestrike is about reform.

The simple truth is the NRA is committed to this issue, because we do not believe that law-abiding Americans can, or should have to wait any longer. Even as we have in the past relied on the grassroots strength of our organization to help preserve our essential liberties, so now, do we turn our attention towards marshalling the collective human resources towards ending the scourge of crime in our nation. It

is our belief that by marshalling the resources and talents of the more than 3.1 million NRA members and thousands of CrimeStrike volunteers across America we can make a difference. And we are already underway.

Our goal is to orchestrate a concerted campaign of reform to help correct the deficiencies and inconsistencies in our country's failing criminal justice system which must include reform of our juvenile justice system, in order to reduce crime, protect the law-abiding, and restore justice.

Right now CrimeStrike is actively engaged in reform efforts around the country, and has already had a significant role as evidenced by our efforts during the last election.

In 1992 Crimestrike mounted comprehensive grassroots efforts in support of state constitutional amendments for victims' rights in Illinois, Missouri, Kansas, Colorado, and New Mexico. By informing our members through mailings and other means, and aiding in state based get-out-the-vote efforts, we helped assure the passage of each of these proposed amendments. It should be instructive to members of this committee and the public to note that every one of these amendments was passed by a substantial margin with an average vote of nearly 80%.

This year, in Arizona, we contributed substantially to the passage of Governor Symington's Truth-In-Sentencing legislation which abolishes parole and other early release programs, requires every inmate to serve no less that 85% of the sentence imposed, and increases the length of time violent and repeat offenders must serve behind bars.

In the state of Texas the State Senate, just last week passed a bill to which NRA CrimeStrike has devoted considerable effort. Under this measure, serious offenders will face double the length of time served, and Texas incarceration capacity will grow by up to 40,000 beds.

In the state of Washington we are in the second year of a major effort to support a citizen's initiative to put a tough "Three Strikes--You're Out" proposal on the

November ballot. This year, the legislature failed to pass a similar measure. Now, it's the citizen's turn. Under the initiative, offenders who commit three serious crimes are imprisoned for life – no probation, no parole. It is a significant commentary on the state of the problem that this initiative is concerned with ensuring that criminals with three serious felonies are actually, finally, treated seriously.

These are but a few examples of NRA's significant efforts to fight crime and restore justice and order to our country. But these efforts come none too soon for an America besieged by crime, weary and fearful of the constant assault of violence which threatens our communities, and frustrated by the unravelling of our government's response.

Nowhere are the problems of endemic violence and the failure to address these problems more keenly felt than in our juvenile justice system -- and the magnitude of the problem is startling. What sadder commentary can there be on the failure to instill moral values and respect for the sanctity of human life in our youth when, as just one example, over the last decade, violent crime by juveniles in this county has more than doubled. In 1982 there was a murder committed by a juvenile approximately every 40 days. In 1992 a murder was committed by a juvenile every 12 days. In 1982 a juvenile committed a rape every 26 days; by 1992 it was every 8 days.

The discussion in which you engage today is much more than a discussion over numbers and trends and calculations. It is about lives broken by juvenile violence and by the government's failure to discharge its most sacred promise to the people: to secure domestic tranquility and to protect life, liberty, and property. Behind each one of these statistics is the story of a victim, a lost or shattered life, a devastated family, and all too often a story of yet another collapse of our justice system.

It is the story of a terrorized Circle K clerk who was robbed at gunpoint by a 17 year old who kept repeating "You want to die, don't you?" and a juvenile court that refused to transfer the armed robber to the adult system.

It is the story of a juvenile armed robber with five prior juvenile referrals whom the state in vain tried to have transferred to adult court. Subsequently, the juvenile was released to home detention pending a dispositon hearing in juvenile court, over the strenuous objection of the prosecutor. Eighteen days later he finally killed.

It is the story of a 16 year old apprehended for a drive-by shotgun shooting whom the juvenile court refused to treat as an adult crime. He was old enough to drive, old enough to kill, but not old enough to stand trial as an adult.

It is the story of two sexual predators, one 16 and the other 19, who took turns holding down a young woman as the other raped her. The 16 year old, incredibly, was given a deferred disposition pending prosecution. The young woman was given nightmares for the rest of her life, the rapist was returned to school.

It is the story of a 13 year old girl who died because another juvenile armed robber was released pending juvenile disposition on armed robbery charges.

It is the story of a 17 year old juvenile who committed numerous assault and child molestation, yet even after thirteen prior offenses he still was not treated as an adult.

It is the story of madness, injustice, and shear disdain for the plight of the victims; the story of a juvenile court system that has lost focus and needs the discipline of a mandatory transfer law. We must once again make public safety the court's most sacred trust and responsibility.

By the weakness of our juvenile courts we are encouraging the very conduct they are established to deter. Just as the Congress in recent years has recognized the need to discipline the federal courts' sentencing policies through the guidelines and use of mandatory sentences for chronic and violent offenders, so too must the juvenile courts of this country be disciplined by mandated transfer laws. And for the cases they continue to hear there must be tough-minded, graduated sanctions which emphasize consequences and responsibility for younger, non-violent first time offenders.

74-122 O - 94 - 4

Juvenile justice reform must be a key element in this country's strategy to control and reduce the violent crime which ravages our citizens. The NRA supports reasonable regulations on the carrying of firearms by juveniles. Those who believe otherwise, are ignorant of the reforms we have promoted to deal with this issue. No one should be fooled into believing that any amount of regulation, up to and including a total ban on all firearms use by minors, will have any effect on the level of juvenile violent crime. All such measures taken alone and "sold" with anti-crime rhetoric are a cruel fraud on the public. Only restoring strong, no nonsense punishments for violent and chronic offenders will do that.

Sadly, the juvenile justice system is a blunt instrument. It only restores order through force. Yet, we must recognize that our first duty is to restore wholeness to those who are victims of violent crime. At a minimum we have an obligation to levy swift, sure justice to those who perpetrate heinous actions on the law abiding. Until we can, with reasonable assurance, provide this, the right any of us have to walk the streets of this country without fear as our most constant companion is subject only to the conscience of a stray bullet.

On the subject of specific juvenile justice reforms, the NRA supports measures which are targeted directly at the juvenile offender and measures which establish reasonable uniform statewide regulation of minors carrying firearms. But, at the same time, these measure must also protect the rights of law abiding minors, and their parents or guardians.

This year, in Arizona, the NRA helped draft legislation that would:

* Mandate holding a 16 or 17 year old juvenile offender responsible as an adult if the offender engaged in felony conduct involving the use or threatening exhibition of deadly weapon or dangerous instrument, the intentional or knowing infliction of serious physical injury, or a sexual offense,unless the juvenile's participation was as an accomplice and was minimal;
* Mandate holding a 16 or 17 year old juvenile offender responsible as an adult if the offender on four prior and separate occasions had been adjudicated

delinquent or if the offender had previously been committed to a juvenile correctional facility, unless the prior offenses were minor;

- Impose a felony penalty on parents or guardians who recklessly give consent to a minor to possess or carry a firearm;
- Encourage every school to provide a firearms safety program available at the option of the student's parent or guardian like NRA's "Eddie Eagle" program.

Criminalize Gang Recruitment

The NRA also supports legislation patterned after an Arizona law sponsored by State Representative Brenda Burns and passed by the Arizona Legislature which imposes severe mandatory felony penalties on adults who involve minors in criminal street gangs or drug trafficking.

Closing Public Housing to Crime Enterprise

In some regions of the country, authorities are pressing to evict those in public subsidized housing who are using their residences as drug and gang centers. According to Charleston, South Carolina, Police Chief Rueben Greenberg who instituted such a program, his critics charged he would have to evict 4,000 residents -- literally half the Charleston public housing population. But Chief Greenberg writes, "We didn't have to evict nearly as many people as originally thought -- only about 80 individuals." Why? Because they stopped engaging in criminal activity. Our catch-and- release justice system hobbles law enforcement. Says Chief Greenberg, "Whereas arrest had not prevented them from committing crimes, ... not having a place to sleep or live had a tremendous impact."

Targeting Gang Kingpins

Because the "soldiers" in gang "armies" are so young, it pays to take out the "generals" -- older gang kingpins who arm young people illegally and press them into crime. At the insistence of the community, joint police-prosecutor task forces can be formed to target older gang kingpins. After putting such a task force to work some years ago, one east coast city reported a nearly 40 percent decrease in assaults, drive-by shootings and related youth gang activity.

Improved record-keeping

To identify the worst offenders, all customary agents of social control who intervene with youngsters – schools, courts, welfare agencies and police departments -- must share information. Without information sharing, it is impossible to distinguish between those who might genuinely benefit from community outreach programs and those who are truly dangerous, repeat offenders.

The overwhelming majority of minors who use firearms do so responsibly and in a law-abiding manner under the supervision of parents or guardians. However, violent juvenile offenders must be subject to more certain punishment and that is why reform of our juvenile justice system is so urgently needed.

The problem of youth violence is no more a lack of gun laws than it is an inadequate number of signs around school yards advising people that schools are weapons-free zones. The problem is a lack of moral muscle.

Speaking on the Today show last year after a school shooting claimed the lives of two students, the principal of the school, Carol Burke-Beck, put it this way: "I am concerned that we are assuming as a society that all weapons are made out of metal. They are not. The enemy that we're trying to stop is the enemy of feeling hopeless, the enemy of being a victim, the enemy that I am someone who has to establish at every moment that I should be respected. We don't know how to love anymore and forgive anymore. Metal detectors do not detect that."

Not long ago, attitudes, pressures and sanctions once promoted a safe, healthy environment in schools. Not long ago, punishment was swift and sure, not slow and uncertain.

The preservation of order in our society is directly related to a functioning, effective system of protection for the rights of Americans and prosecution of those who abuse those rights. Our democracy cannot survive without these protections. The NRA intends to do its part.

Senator DECONCINI. Thank you, Mr. Corbin.
Mr. Richard, thank you for being with us.

STATEMENT OF GERALD P. RICHARD II

Mr. RICHARD. Thank you, Senator.

Senator I not only want to thank you, but Mr. Burke who asked me to come to these hearings on behalf of Chief Garret as well as myself, an opportunity to testify, but, even more so, an opportunity to have the hearing in an educational institution that houses a program such as the Genesis Program. I think it is commendable.

Actually, in 1986, when I started prosecuting street gangs, and people were saying in the State of Arizona they were not here, not to worry about them, they were not the programs that sat at this table before I sat down. I also commend you on the fact that you are looking at tomorrow, because the issue is not just gangs now, but the one that is facing us tomorrow is blatant violence.

Over the years, it is interesting, because the Phoenix Police Department has not only dealt with the growing problem as far as juveniles committing violent crimes, but we are still dealing with it in our community. The officers in the Phoenix Police Department are at the forefront of trying to serve and protect the citizens from these violent offenders.

But let me stress something, it is not just juveniles. it is the adults, as well. We realize that in order to address this dilemma, though, we cannot do it by ourselves. Just as you heard before, we need every segment of our community in order to address it.

Currently, the Phoenix Police Department is contending with a serious cut as far as resources and are also being limited as far as what we can obtain. We are talking about sworn officers, we are talking about nonsworn personnel, we are talking about program funding, and we are also talking about equipment.

Nevertheless, the community is still saying we want you to serve and protect us like any other major city. We are the 9th largest in the United States. But when we look at it throughout the United States, the top 25 cities have 2.6 officers per 1,000. Phoenix is operating with 1.9, and they are still asking us to be out there, and we are doing the best that we can.

I have to quote Chief Garret in something he said once, when they asked where can we start in addressing this problem as far as juvenile violence. He said in the womb, in the womb meaning with parenting skills classes, in the womb meaning that we encourage parents to instruct their children as far as the values they are going to need in order to deal with confrontation in a nonlethal manner. We need to strengthen the pride within the children and within our different cultures within our communities.

And this came from a gang member. He said, Mr. Richard, if you teach us first about our own heritage and our own culture, he says then we can turn around and respect another culture. I happen to agree with the young man.

Phoenix was the first to initiate the gun ordinance that you have heard so much about, and when we did so, we did it in order to try to get parent cooperation by the permission slip. But we have heard from the children. We have taken the time to listen to the

children, and it is like the children say that is not going to stop us from getting guns, if we really want them, we can still go out there and get them.

Nevertheless, the Phoenix Police Department has to contend with trying to stop the violence, and when we have this ordinance, let me stress to you, it is only a tool in order to try to prevent the violence that is occurring in the street. Phoenix has also been very creative as far as adding a new component to the curfew ordinance. Instead of taking a child down to a precinct, we now take them to the park in order that they have other possible alternatives. But let me say this, it is not enough, because I had a chance to go out to the parks before the program started, and I asked them.

I said, tell me something, if we brought a counseling service out here, if we brought a tutorial program out here, if we had allowed you an opportunity to learn about here, right here at the park where you grew up, if we had food for you and beds for you, as well as the other programs, how would you feel about that? Senator, they said that would make us come to the park more often, and do you know why, because those children that are being abused by their parents would come out at 10 o'clock and flag down a police car the same way you flag down a taxi and say take me to the park, because I cannot deal with this individual.

By providing the counselors, the counselors cannot only deal with the issue that the child has to deal with and the violence that they are dealing with in their home, but they can also go back to the home, as opposed to authority going back and trying to deal with it in a holistic approach.

The police department has tried recently within the last year or so to enhance our community based policing, and we have done this through cultural awareness. But we don't only look at the traditional cultures, we look at the nontraditional cultures that we have identified, like teenagers, because once we can get to understand teenagers and get them to respect us, then we too can respect them. We have done this also through our young adult assistance police academy, in order to encourage children to become police officers and get involved in law enforcement and not get involved in that subculture family, the gang, the quasi-family that is out there. We have done this through the citizens advisory groups, and we encourage them, as well, and leaders within our community to come forward and help us as far as getting young adults, juveniles interested in law enforcement.

As you are well aware, we are a police officer, the BEAR and the GREAT Program, and I will be one of the trainers down at Tucson this summer in order to try to educate our officers. I am going to tell you right now, I have found not only as far as law enforcement, but also in the Federal level, there are officers that don't have the slightest idea what the gang problem is like.

When we start talking about prevention, if we cannot do it through prevention, we can turn to those organizations that offer intervention, the city dance, the Mothers Against Guns and Genesis. But we have found something out that is very interesting here in Phoenix.

When we combine prevention and suppression, the gang related violence goes down. The two months that most people are consid-

ered to be the highest as far as involvement is June and July. In the last two years, with our Operation Safe Streets, meaning 24-hour visibility officers on the street, especially last year with our GREAT Program, it went below the line. So it shows that prevention, intervention and suppression working together can bring that safe community and safe environment back to our cities that we need.

If it is necessary to arrest a juvenile, this is what the officers are asking for, provide the secure facilities and the personnel in order to hold the individuals, at the same time have a plea bargaining system that identifies the kind of offender that the system has to deal with, so that they can either attempt to rehabilitate or punish.

On the Federal level right now, there is S. 488 that has been introduced by Senator Arlen Specter that is known as the Drive-By Act of 1993. The Arizona State Gang Advisory Committee, which I chair, we got a copy of that bill and we sent a revision back to Senator Specter. We have also sent a copy to your office. The reason being is that particular bill wanted to tie in a drive-by shooting with a major drug offense.

You can ask law enforcement, that is extremely difficult to prove. You ask a prosecutor, it is almost impossible, because the defense is going to say there was no major drug offense, I did it because it was a retaliation because they killed my brother or my fellow gang member. So I hope that particular revision that we have introduced will be of help.

The programs that were mentioned earlier by Mary Rose Wilcox, the Phoenix Inter-Agency team, with Roberto Amejo, with the Community Referral Information program that he has, has put together a list of those programs. But I have to agree with her. Programs that deal just with gang violence, I have to agree with her as far as evaluation that is needed.

Judge Reggie Williams about 3 years ago came here and he told us, he said if you want a program that works, a program that is going to receive respect, you have to have a proper evaluation. I encourage that, but I encourage any evaluation process to be evaluated also every 3 years in order to make sure that we have not let something slip through the cracks.

One other thing that I want to mention is this: You asked how many Kevins and Carlos are out there, when they were sitting here. I can tell you right now, in the Phoenix Police Department, we are finding more and more kids that are saying I want out. Fortunately, we didn't have to go through the L.A. riots, because with the L.A. riots came the truce between a number of gangs that allowed individuals to lead the gang with integrity and dignity.

But as programs like those of us who are sitting at this table that will provide those other individuals the same sort of integrity and dignity, and it can be used as a model throughout the United States. There is a commander in Chicago, because I am originally from South Side Chicago, and there were gangs in Chicago when I was there. The technology wasn't as great, but they were 38's and 25's, and I saw eye-witness as another student shot by another student in front of the lunch room on my way to lunch, 6th period, the kid I had just sat next to in honors English. I saw it. So it happened, and this was over 20 years ago, Senator.

Now we are seeing it here. I think that is the reason I asked to prosecute street gangs in 1986, because I didn't want to see it come to Phoenix in the same manner. What I am asking—and I think a lot of other individuals are asking—is let's encourage the funding of those programs that can assist law enforcement, if the dollars are not there for law enforcement, so that we can have more collaboration nationwide.

But as the commander mentioned, because we didn't address that problem back in Chicago, now what we really need is a county task force, because they have now reached a level of organized crime.

They have now gone into the prisons. We now have prisoners that are coming out trying to encourage our children to get involved in more violent criminal activity. And when we look at the number of gangs, youth gangs out there in the State of Arizona, we reached over 700, that can be identified through the Department of Public Safety. When we look at the children, we think that most of them would be juveniles. To the contrary, only a third of them are. Only a third of them are children.

So I thank you for the opportunity to come before you, and any questions that you might have, I would be more than happy to answer.

Senator DECONCINI. Thank you very much. Your testimony is helpful and I will go into a couple of things.

One is how many gangs do you estimate operate in the Phoenix area? Is there an estimate? Now that there is not much press here, we will not get much publicity on it, which is good. We do not want to, please do not print the number.

Mr. RICHARD. The Phoenix Police Department has identified over 120 active gangs.

Senator DECONCINI. 120 active gangs.

Mr. RICHARD. DPS has identified in the Phoenix metropolitan area, and that includes Glendale and the like, somewhere near 400.

Senator DECONCINI. 400; how does Phoenix rate nationally as to the violence that these gangs are involved in, or are there any statistics and numbers per capita of gangs?

Mr. RICHARD. There are no statistics as far as that, and a lot of it has to do with the fact that we have not nationwide defined what a street gang is or what gang related activity, and we are doing that right now with our State Gang Advisory Committee.

Senator DECONCINI. Your programs are well known, having visited some of those neighborhood programs and seeing them even before we started the GREAT Program and the police officer on the beat. There is no question that it has helped.

The debate over banning some guns and assault weapons, as Sheriff Apaio points out, is only a tool, as was your ordinance, right?

Mr. RICHARD. That is correct.

Senator DECONCINI. Nobody has ever advocated that this is going to stop the violence or the gangs. It is viewed from law enforcement as merely another tool for the prosecution of those that would violate and have those kind of guns, and that is the purpose of it, right?

Mr. RICHARD. Right.

Senator DECONCINI. Thank you.

Mr. Corbin, you always make a very eloquent statement and I have respected you immensely, as you know, over the years. You take exception with my reference to automatic weapons or assault weapons, and you are correct, these are semi-automatic, the ones that are involved in the Senate bill that I have introduced and that we passed last year, and hopefully we will pass again, if it is not filibustered.

Do you really think that the street sweeper made in Africa for riot control is a gun that should just be permitted to be bought off the shelf as it is today?

Mr. CORBIN. Senator, the problem you have here is this: In the hands of a criminal, it should not be there.

Senator DECONCINI. Well, in the hands of a law-abider?

Mr. CORBIN. In the hands of a law-abiding person who may want to collect that type of a weapon or may have fun just going out and shooting one, why do you want to penalize him? We have discussed it. I love your part of your assault weapons bill which I told you before I agree with, is that if you use one of these weapons in the commission of a crime, you go to prison.

Senator DECONCINI. Let me ask you this. Is it——

Mr. CORBIN. That way, you are punishing those people who misuse them.

Senator DECONCINI. I understand your argument. Isn't it worth a 3-year trial on 14 semi-automatic weapons to see, because you don't know and I don't know. I don't know if it will help. Now, you maybe do know. I don't know, because I don't think anybody knows whether or not it will help. Maybe it would not.

What is wrong with a 3-year trial on guns that show up 20 times more, according to the Cox survey, in crimes, these assault weapons? I didn't pick these guns just out of the blue. We got them from the Treasury Department and from the Cox survey, and I just wonder what the problem is when everybody is grandfathered in, nobody has to give up the gun they have, and it is just for 3 years.

Mr. CORBIN. Because I don't think it will work, Senator.

Senator DECONCINI. I know you don't think it will work, but you don't know, do you?

Mr. CORBIN. No, I don't.

Senator DECONCINI. Nobody knows.

Mr. CORBIN. As I mentioned earlier, that black police officer talking about fully automatic weapons, he said that the fully automatic weapons, since Russia has fallen, are being smuggled into L.A. on ships and are coming up through Mexico, getting to the gang members. Fully automatic weapons were illegal since 1934, without getting a permit to have one.

It did not stop them from getting these automatic weapons. He was a very honest police officer and he was saying that. When I was over at Barcelona last summer, I was told I could go to Poland and buy an AK-47 fully automatic for $250, because the Russian soldiers are going back to Russia, they had no money and they had no jobs, they were selling them. These guns go in the black market into the hands of the criminal, just like the drugs do.

Senator DECONCINI. I saw them for sale in——

Mr. CORBIN. That is why I say, Senator, I am sick and tired of the law-abiding people being punished for actions of the criminal and it is not right.

Senator DECONCINI. Mr. Corbin, nobody is punishing them here. What some of us are trying to do—you know, I'm on record as being the legislator of the month of your fine organization when I was in their good graces and having their support——

Mr. CORBIN. That was our fault that you got out of our good graces. I apologize for our previous person who was there for allowing that.

Senator DECONCINI. I know that Attorney General Meese convinced your organization to try the plastic gun, and because there was resistance on it, and he told me that. I discussed it at great length and, quite frankly, it would not have happened, if Attorney General Meese in his opinion didn't convince the NRA to try it.

Now, I do not know that it has worked, but my point is, why doesn't the NRA sometimes take a little risk with that constitutional amendment, because, as you say, no amendment is inviolate? They are all subject to reasonable restrictions. So for a 3-year restriction on 14 guns, it is confusing to me why your organization would not say, "We will try it," and it is grandfathered, as you know, and sunsetted, so that in 3 years it has to be repassed. It just is not an automatic ban forever.

Mr. CORBIN. Let me answer this way, Senator. You brought up the plastic gun issue. Yes, we drafted a bill banning the pure automatic weapon that passed.

Senator DECONCINI. Yes, but only after Mr. Meese——

Mr. CORBIN. Because there isn't any such thing as an all-plastic gun. The technology isn't there and it is not even in the foreseeable future. What you were talking about was a glock, which is 60 percent metal and would certainly reflect on any metal detector or any x-ray machine at an airport. We drafted the bill, because we knew there wasn't any such thing as a pure plastic glock, the great terrorist weapon. I think the Washington, DC police department just went to the terrorist weapon, the glock. Most of the police departments go to it.

Senator DECONCINI. That is not my point. That is not my point, Mr. Corbin.

Mr. CORBIN. I understand, why don't——

Senator DECONCINI. My point is that, as General Meese, a member of the NRA, well respected——

Mr. CORBIN. I have talked to Mr. Meese, yes.

Senator DECONCINI. I know you know him, and I know him, too, and he told me years ago when he was Attorney General that he took credit by convincing the NRA not to oppose that, and I am glad they did it. I mean it demonstrated to me that the NRA is not uncompromising, but here they don't want to compromise.

Mr. CORBIN. Well, it is like——

Senator DECONCINI. Piercing bullets, the same kind of problem we have had.

Mr. CORBIN. Senator, you know why we oppose that armor-piercing bullet. They are 85 percent of the hunting ammunition. That first bill was a backdoor approach by Congress to ban the ammunition, so people would not have ammunition to shoot. We drafted

the bill banning the pure armor-piercing bullet. We are the ones who drafted it. We fought the first one to ban the hundgun ammunition.

Senator DECONCINI. Yes, and then your statement here that any honest police chief would not support banning these weapons or something to that effect, when you know, every police organization in the United States supports——

Mr. CORBIN. No, they do not, Senator, just a few of the political ones do. But you go to the rank and file—we have polled the rank and file ourselves with studies and polls, and we find that most of the police officers, 80-some percent of them support us, except police chiefs are political who do not support us, who are subject to their city councils.

Senator DECONCINI. Is the Fraternal Order of Police purely political?

Mr. CORBIN. You bet.

Senator DECONCINI. They don't represent——

Mr. CORBIN. Their leadership.

Senator DECONCINI. They don't represent their organizations, or the Sheriffs Association.

Mr. CORBIN. No, just like the ABA. Do you think the ABA represents me?

Senator DECONCINI. Well, I will tell you, the ABA is a group that maybe you belong to. I do.

Mr. CORBIN. No, I don't, because they are too liberal for me. I resigned.

Senator DECONCINI. Well, I belong to them and, just like many police officers belong to the Fraternal Order of Police or the National Association of Police Officers, organizations that represent hundreds of thousands of police officers, they come and testify that it is worth taking the chance.

Mr. CORBIN. No, just a few of the leadership come to you, sir, not the members. If you poll the membership, I think you might find a different answer.

Senator DECONCINI. I have talked to a lot of members, a lot of members right in this State, and they seem to tell me that it is worth a chance.

Mr. CORBIN. Yes, but——

Senator DECONCINI. And you listen to all the testimony here, all of these community based people, Kevin and Carlos, say yes, take the guns away and try it. Sure, we have got to have them, and isn't it——

Mr. CORBIN. Sure, take the guns away from the law-abiding, so the criminals have them. Is that what you are saying, sir?

Senator DECONCINI. Well, it also takes it away from these potential kids that are using them.

Mr. CORDIN. Well, they are going to get the guns. Senator, you know that the Justice Department testified on the Brady bill that 93 percent of the guns used in criminal activity are not purchased through dealers. So what is the Brady bill going to do? Your own Senate appropriated $100,000 last year to get the criminal records in this country up to 80 percent up to date. Our criminal records aren't even 80 percent up to date in this country.

Senator DECONCINI. Yes, but you are begging the issue. The issue here is what is the constitutional risk to the law-abiding citizen, if you impose a 3-year hiatus and ban these guns and grandfather every legal gun now that is in existence? Why would the NRA take such a position, Mr. Corbin, that they would not take the chance, when you hear all the police organizations, you hear all the community supporters here, you hear everybody except Mr. Romley, and I talked to him personally and he supports it, he says, all testifying that, yes, we should do that.

Now, none of them say this is the answer, nor, as you admit and I admit, I do not know if it will work. But isn't it worth a chance? Your answer is no.

Mr. CORBIN. I don't think it will.

Senator DECONCINI. Isn't it worth a chance?

Mr. CORBIN. No, because if it doesn't work, Senator, you will come back and want something else more tougher to try to get it work. If that doesn't work, you will come back for something else more tougher.

You know, we have a second amendment. I don't think you play around with any of the amendments. I firmly believe in the amendments. I have heard people talk as you have, too, I am sure, after the doctor was shot down in Florida about a demonstration on the abortion issue, that we should do away with this, people can't demonstrate, do away with the first amendment right. I disagree with that.

The same way I have heard people talk about dealing with the drug problem, police ought to be able to walk into your house on mere suspicions, without——

Senator DECONCINI. No, nobody is suggesting that.

Mr. CORBIN. But you hear that, Senator.

Senator DECONCINI. But you testified this morning that these should be reasonably regulated or altered.

Mr. CORBIN. Sure, but they are talking about doing away with the—and even you have a bill in front of Congress to do away with the second amendment.

Senator DECONCINI. Well, this Senator is not part of that——

Mr. CORBIN. No, it is just the same old thing, it won't work and then you will say we need something tougher, we need to deal with this problem, let's make tougher laws on taking away guns. It will not work. Pretty soon, we have lost the second amendment.

Senator DECONCINI. But you have no confidence in Senators that have supported you in the past and no confidence in Senators that you have supported in the past, like Lloyd Bentsen, like David Boren, like Harry Reid, like Bennett Johnston, like Sam Nunn, like Dennis DeConcini, just to mention a few who supported for that assault bill, and they felt it was worth taking a chance. Jay Rockefeller, one of your star players, voted for that. They thought it was worth taking a chance, and now the NRA has got them all on their hit list politically.

Mr. CORBIN. You bet.

Senator DECONCINI. I think that is really unfortunate.

Mr. CORBIN. Well, Senator, we are fighting for the second amendment, just like the media fights for the first amendment, and we

have a right to do whatever we think is right to protect that second amendment.

Senator DECONCINI. Oh, I don't question the right. I don't question the right. Never do I question the right, nor do I question the right of the media to fight to protect the first amendment.

Mr. Arpaio, in your experience with gangs and guns, are you finding more guns accessible to the gangs here, or is it as bad as we hear that they are just every place and available. The police officer in Tucson says it is almost like ice cream.

Mr. ARPAIO. Well, we are not L.A. yet, but we are getting close.

Senator DECONCINI. Are your officers equipped with comparable weapons as some of these gangs indicate that we had right here AK's and MACK-10's?

Mr. ARPAIO. Well, we carry the glock and a .357.

Senator DECONCINI. Is that comparable to a MACK-10 or an AK-47?

Mr. ARPAIO. No; I have a concern. You know, I worked the South Side of Chicago as an undercover agent for 5 years. I was a Washington, DC, patrolman in a black neighborhood. And I have been kidnapped and shot at overseas and in Washington, DC, 9 times in the back of my head, and a .9 mm, fortunately, is a bad shot. And he only got 3 years for assaulting a Federal officer.

I do agree with your bill, maybe we should take on 10 years mandatory for anyone who uses a gun in the commission of a crime. But I am concerned. I have mixed emotions. Bob Corbin is a dear friend of mine. I have known Bob for many, many years. He has a nice family. I have known you, Senator, and it is a tough call. I am angry. We are at war on the streets. Anything that can be done to——

Senator DECONCINI. Well, you were at the press conference announcing the bill. You obviously think it is worth a try. I don't know if it will work, I really don't. I wish I could tell anybody, you know, you do this and it is going to work. That is why I put in the grandfather clause, really at the suggestion of the NRA.

Mr. ARPAIO. Well, I am a member of the NRA, I just renewed my membership last week, $25. But I will do anything, anything. I am the county sheriff and my jurisdiction is everywhere, including Phoenix.

Senator DECONCINI. Well, like Chief Garret and like Chief Hekee down in Tucson, you are concerned about your officers getting killed with these semi-automatic weapons.

Mr. ARPAIO. I am also concerned about the citizens. I took an oath to protect and preserve the peace. It is a tough call. Anything that can be done, take a chance to see what we can do to reduce this vicious crime and drug problem. Of course, drugs and guns go hand in hand. But I sure like that mandatory law. If we can just get that mandatory law and throw them in jail for 10 years and throw the key away, with no probation, no parole, I think that is what we need.

Yes, I have to say that I do support your bill. I said that before and I will say it again, let's give it a shot and maybe I can convince Bob of a 3-year shot.

Senator DECONCINI. Would you, please? I have tried for a couple of years.

Mr. Corbin, a last question. I don't know the answer to this, so it is not a setup. Did the NRA support the city ordinances that we talked about here?

Mr. CORBIN. No, sir, and the reason was the media is typical, so anti-gun, never tells the truth in most instances, particularly back East. Arizona in 1983 passed a preemption statute in the gun area, representative English. It was passed and signed into law by the then governor. What that preemption bill said was that no lesser government, meaning cities, can pass any ordinances dealing with the possession, transportation, registration, sale, et cetera, of carrying of weapons.

Now, that was a law that was on the books. We expect the cities to obey the law like they expect us to obey the law, so, consequently, when they did, we challenged it on the basis of preemption. We don't believe that kids should run around with guns. That is why we are——

Senator DECONCINI. And what happened was the lawsuit?

Mr. CORBIN. Well, I thought we won it over in Tempe, with saying that they tried to tie it in under the whole of downtown Tempe. The judge initially ruled—and I haven't heard the rest of it—that that was as violation of the State preemption statute. The City of Phoenix, the judge upheld their ordinance, saying it was not a violation of the preemption statute. To me, it was sort of a political decision, and we have it on appeal. But I think it is all preempted now by the new law that was just passed, the new legislative law. I think it is all preempted and made moot.

But that is why we attacked it. It wasn't that we believe kids should run around with guns.

Senator DECONCINI. No, of course not.

Mr. CORBIN. We have a law on the books that say they are preempted from passing it. Now, we have the right to go to court to challenge something we think is illegal, and we are going to continue.

Senator DECONCINI. I don't ever question your right.

Mr. CORBIN. No, that is what happened on it, Senator. But you never know from the media.

Senator DECONCINI. I just wondered what the position was. We talked about the FOP being a political organization and their members being for or against the assault weapons bill.

Mr. CORBIN. Dewey Stokes?

Senator DECONCINI. Dewey Stokes came out in support of the bill, as you know——

Mr. CORBIN. Oh, yes, he would.

Senator DECONCINI [continuing]. And in his last election, the NRA tried very hard to defeat him and he was overwhelmingly reelected.

Mr. CORBIN. Unfortunately, we didn't start soon enough. That was our problem.

Senator DECONCINI. He is one of the outstanding police officers in the United States, in this Senator's judgment.

Thank you, gentlemen, very much. I appreciate your testimony.

I would like to thank Phoenix College for the use of this facility, Bears Den. I would like especially to thank B.J. Booley for her help, and Merna Harrison, president of Phoenix College, for per-

mitting us to use these facilities. I also want to thank Senator Kohl, who is the Chairman of the Juvenile Justice Committee, for permitting the hearing to be held today in Phoenix, AZ. And I thank Dennis Burke.

The committee will stand in recess.

[Whereupon, at 12:18 p.m., the subcommittee was adjourned.]

YOUTH VIOLENCE

WEDNESDAY, JUNE 2, 1993

U.S. SENATE,
SUBCOMMITTEE ON JUVENILE JUSTICE,
COMMITTEE ON THE JUDICIARY,
Tucson, AZ.

The subcommittee met, pursuant to notice, at 9:06 a.m., at Pueblo High School, Tucson, AZ, Hon. Dennis DeConcini presiding.

OPENING STATEMENT OF HON. DENNIS DeCONCINI, A U.S. SENATOR FROM THE STATE OF ARIZONA

Senator DECONCINI. Ladies and gentlemen, may I have your attention, please? May I have your attention, please? Ladies and gentlemen, the Senate Judiciary Committee, the Subcommittee on Juvenile Justice, which is headed by Senator Kohl, has authorized these hearings this morning in Tucson and yesterday in Phoenix to explore the disturbing issue of youth violence.

Our children are growing up in an environment dominated by violence. It pervades their lives. It is in their homes, their schools, and their playgrounds. There seems to be no escape from it. Look at what they are watching on TV. By the time the average child graduates from elementary school, she or he will have witnessed 8,000 murders and more than 100,000 other assorted acts of violence just on television alone.

The schools seem to be no better. About one out of every five high school students in the United States now carries a firearm, a knife, or a club to school on a regular basis, and the results, nearly 3 million crimes, occur on or near our school campuses each year. That is one every 6 seconds.

The street violence that is glorified on television is now day-to-day reality for our children. Just read the papers every morning. Gangs, drugs, random murders have become the staples of our children's lives. Every major city in this country is facing a deadly gang problem that is the subculture that has kidnapped our children's generation.

Dispute resolutions involve a gun today, and drive-by shootings with teen-agers brandishing assault weapons or semiautomatic weapons are all too common occurrences.

We can no longer accept the violence as part of our culture. Kids are afraid, teachers are afraid, parents are afraid, citizens are afraid. It is time to get at the root of this deadly problem, if we can. We have a very serious problem that does not have only one solution, but to go forward with a plan of action, we have to ask

ourselves some real hard questions and get some answers that may be uncomfortable.

How did we get here? What are we going to do about it? What works and what doesn't work? And where do we go from here?

I hope to have some answers to these questions today from the panel that we have. It is a problem that deserves the utmost attention and the greatest dedication, and we each have a role in this effort. Law enforcement does, legislators, courts, community leaders, local government, parents, counselors, and on and on.

I look forward to today's hearing. I don't come here with an answer from Washington. I come here seeking an answer that maybe Washington can help.

This morning we have a very crowded and prestigious system of panels, so we are going to ask our first panel if they would please come forward: Mayor Miller, Supervisor Grijalva, Supervisor Eckstrom, Councilwoman McKasson, and Councilman Wheeler.

Now, there are many other distinguished experts here today. Some were in the town meeting last night that we had at Pueblo Center. The public is here, as I know, and we welcome them here. We have forms for any statements that you might want to give. We will not have time for an open microphone. We have elected officials, law enforcement, community organizations, and a youth panel—young people who are or were former gang members. I see we have Steve Leal instead of Bruce Wheeler.

Mr. WHEELER. I am here.

Senator DECONCINI. Well, Bruce, come on up. Find another chair. Thank you.

Mr. Leal, the reason you weren't on here is we couldn't have everybody. It was impossible to do that. It is no easy task, I can assure you. Thank you.

We will start with Mayor MILLER.

PANEL CONSISTING OF GEORGE MILLER, MAYOR, TUCSON, AZ; RAUL GRIJALVA, SUPERVISOR; MOLLY McKASSON, COUNCILWOMAN; DAN ECKSTROM, SUPERVISOR; BRUCE WHEELER, COUNCILMAN; AND STEVE LEAL, COUNCILMAN

STATEMENT OF GEORGE MILLER

Mayor MILLER. Senator DeConcini, I want to thank you very much for holding this hearing here today in Tucson. Certainly the problem that you have just outlined is one that is so very serious. The City of Tucson Government has been involved with the schools for the most obvious reasons: the problem needs to be addressed in a manner that takes in the whole community.

The increase in youth violence across the country can be attributed to a long list of factors which have been identified, categories, and prioritized in an endless variety of combinations. The question that remains is always the same: What can we do?

I believe we must do everything possible. Every day it becomes more apparent that the well-being of our citizenry and our democracy are at stake. In reality, there are numerous approaches to curtailing youth violence. Many are geared toward gun control, ammunition control, suppression of drug traffic, both domestic and foreign. These efforts are absolutely worthy of widespread support.

While there is much to do in the way of repair, the pattern of violence will continue unless we are willing to take responsibility for preventing the destruction, misery, and death that is growing everywhere in America today. I believe that the avenue preventing violence offers the most positive and constructive results. With this in mind, the following remarks will be limited to recent efforts that we have accomplished here in the Tucson area.

In May 1992, the Pima County Interfaith Council met with the City of Tucson's mayor and council to discuss concerns related to children and families. As an outcome of this meeting, the mayor and council directed city staff to prepare a working paper that included a needed assessment and a summary of community concerns.

In addition, I appointed an ad-hoc committee to develop a child-family strategic plan to review the working paper and identify and prioritize services relating to children and families. Members of this committee include representatives from community organizations, agencies, educational institutions, and government.

The Ad Hoc Committee for a child-family strategic plan identified five overall goals as follows: rehabilitation of homes in the target areas, summer youth employment, summer and after-school programs for children and youth; a health plan for Pima County, and joint lobbying for the State legislature.

A strategy team consisting of members of the ad hoc committee formed subcommittees and are working with staff to address these goals. Although the strategic plan is not yet complete, the City of Tucson is looking forward to having a comprehensive plan that will address the needs of children and families to make Tucson a child- and family-friendly city.

A VOICE FROM AUDIENCE. Everybody should carry a camera——

Senator DECONCINI. Please. Please sit down. This is a public meeting.

A VOICE FROM AUDIENCE. No, no. Everybody should carry a camera and take a picture of whoever threatens you and your life.

Senator DECONCINI. Please sit down. We will conduct this in an orderly manner.

A VOICE FROM AUDIENCE. No, you erase some of that tape, Mr. Miller——

Senator DECONCINI. No, please. You are out of order. Please.

A VOICE FROM AUDIENCE. No, and you, my man, I just find—these are petitions.

Senator DECONCINI. Please.

A VOICE FROM AUDIENCE. I am sorry. Thank you.

Senator DECONCINI. Thank you very much.

A VOICE FROM AUDIENCE. But I just want you to know, everybody should carry a camera, especially kids at school.

Senator DECONCINI. Excuse us, Mayor Miller, for the interruption. You may proceed.

Mayor MILLER. In many cities across the Nation, summer employment for youth is a major issue. Youth employment provides a positive outlet for the energy and talent of young people. It functions to prevent violence by offering an alternative to idleness, boredom, and frustration. In Tucson, over 2,300 youth have applied for such summer employment. President Clinton's economic stimu-

lus plan would have funded many of these jobs and also assisted in the provision of the summer youth program and the rehabilitation of facilities that offer year-round youth programs. With the loss of the stimulus package, only 500 youth will be employed through Federal funding.

Pima County has been urging the private sector to help provide the funding for better yet actual jobs at the cost of approximately $800 to $850 a month per job. This pledge-a-job program has been modestly successful. Fewer than 100 jobs, however, have been pledged. The pledge-a-job program is of special importance because it can employ youth who are ineligible for federally funded jobs because their family income does not fall within the poverty level guidelines. The PCIC is actively involved in publicity and recruitment to expand the pledge-a-job program.

Despite severe budget restraints, the Mayor and Council has allocated city funds to underwrite 50 additional jobs for youth. We are painfully aware of the serious gap that still exists between what is needed and what is available. Next Monday, Senator, we have on the agenda a chance again for the Council to discuss this particular problem, and hopefully we will be able to add approximately 75 more jobs by borrowing some money from next year to make sure that summer jobs start July 1st.

The City of Tucson's Kid Co. Program, which is handled by the Parks and Recreation Department, serves children kinder age through 12 years free of charge at 22 summer sites. This recreational program administered by the Parks and Recreation Department is at first glance a wonderful effort on behalf of the health, welfare, safety, and enjoyment of our children. At second glance, we may view it as a powerful violence-prevention program because it engages children in positive activities which highlight and reflect their interests under supervision of sheltered environments.

The Mayor's strategy team identified the need for additional Kid Co. sites and longer hours of operation. Eight more sites will be added this summer, and service will increase from 3 hours to 6 hours. Between 80 and 100 children are served at each site, but the demand continues to increase.

In addition, Kid Co. is administered as an after-school program at 20 schools, an increase of 8 sites over last year. It has been expanded to 40 weeks, up from 28, and operates until 6 p.m. The reason for this expansion, both summer and after school, is due to the City Council's allocating from its budget, within its own budget, $500,000 to expand the program.

The question of juvenile justice and youth violence does not yield to any easy answers but requires steadfast commitment on many fronts and at every level to halt the despair that is accumulated. The search for responses that focus on violence prevention is but one critical piece of the puzzle we must fit into its place.

Given the constraints, we are making every effort to act on the overall goals identified by the child-family-friendly strategic plan. We can do a lot more, of course. We need a greater commitment also from the Federal Government to help us in this area.

Senator thank you very much again.

Senator DECONCINI. Mayor Miller, thank you very much.

Supervisor Grijalva?

STATEMENT OF RAUL GRIJALVA

Mr. GRIJALVA. Thank you very much. I appreciate the opportunity, Senator. I appreciate this hearing very much in the community. It is a pressing issue that many times the community and those of us in public office don't have the time to reflect on but rather react to it. And I think this is an opportunity for us to——

Senator DECONCINI. Excuse me. Would you pull that microphone closer? She is not picking it up here. Thank you.

Mr. GRIJALVA. As I was saying, we don't have a chance to reflect and to plan about this issue. We have more of an opportunity, all of us in elected office, to react to it and to what do we do as a result of a crisis as opposed to what do we do to make this community better and to deal with young people as human beings with this issue.

One of the things I didn't want to do in my testimony to you, sir, is to talk about the problem. I think we spend so much time in this community and a national level discussing, defining, identifying the problem, when in reality everybody knows what the problem is. The problem is that we have a situation in our society where people are disenfranchised, whether they be young, old, poor, where people feel a lack of place and value in this society. And I think the National Government and the Federal Government has a real role in beginning to address that issue, that issue of disenfranchisement and disenchantment we have in the community.

So let me briefly outline for you what I think Government can do. First of all, to begin with the premise that Government has not done enough, a lot of people, particularly in the tenor of the times, say that Government cannot be all things to all people. But Government, at the local level, at the State level and at the Federal level, has an obligation to make this society better. And I think in this sense we have dropped the ball, both locally and at a national level, in not doing enough to address this problem.

I don't think we have done enough simply because youth, the issue of poverty, and the issue of children and families have not been a priority when we set how we are going to spend our money and how we are going to use our revenues, both at this level and at the Federal level. I think that is the first thing that has to do with the consequence of what is going on in this society, with violence, with young people, and with our communities in general, that we need to make kids, young people, and children a priority. By making them a priority, we begin to address the fundamental problem that we all know exists.

I think at the Federal level one of the things that I would hope that you consider in your presentation to your colleagues at the Senate level and to President Clinton would be that the approach to youth violence and the approach to the problems that we are having in our communities with violence, with gang affiliation, whatever it might be, requires a comprehensive approach. It cannot be done piecemeal. You cannot address this part of the problem, you cannot address that part of the problem. It has to be a comprehensive approach, and in outlining what I think that comprehensive package is, just let me go over the points, if I may.

That comprehensive agenda, that plan of action at a national level and a local level, involves, I think, some very key ingredients. An unpopular word in the Western States and an unpopular word many times in this community is the issue of some control over the availability of and the access to guns in this community. I think that both at a local level and a national level has to be explored and explored seriously.

The availability of deadly weapons to anybody from 9 years old and on is not a healthy sign for this community. It is not a constitutional issue as much as it is a community issue that needs to be controlled, and we have to have some control over that availability. Whether that is Federal legislation, local legislation, we need to begin to take those steps. The City Council has begun at this level. The introduction of your bill on assault rifles is a good, positive step, but that control, that access and availability of guns in this community has to be a priority issue, and it must be addressed. Unpopular and uncomfortable as it might be, particularly to the lobbying efforts of major organizations like the NRA, we still need to address it because it is affecting the quality of life and it is a major contributing factor to the violence that we see around us.

The other issue is law enforcement. I think the approach of community-based partnerships, with the community and law enforcement, in setting up a community-based approach to policing, to neighborhood protection, and to the reduction of violence is a very important issue, and that partnership needs to be strengthened and built upon.

You are going to begin to address the issue of violence in our community by working in partnership with law enforcement and law enforcement working in partnership with the community. I think that we need start-up grants, we need demonstration projects, we need pilot projects to be set up here in Tucson where the community and law enforcement can show that they can work together and they can demonstrate that that, indeed, reduces violence and that, above all, it creates a healthier climate in our communities.

The other issue that is part of this comprehensive agenda is education. The state of our public schools is such that I think at the Federal level we need a major infusion of Federal money into our local schools to begin to reduce class size, adequately compensate teachers, begin the kinds of innovative programs that we need in our middle schools and high schools and elementary schools.

Public education is in the State, and everybody complains about the public schools not doing their job. I think public schools can do their job a lot better given back—not more, just given back the resources they were denied for 8 years under previous administrations. That reduction in Federal support for public education, there is a direct correlation with overcrowded classrooms, lack of adequate classes, addressing the individual needs of students, proper counseling, proper work experience at the school level. When we lost those, there is a correlation with the escalation of disenfranchisement, disorientation on the part of young people and leaving school and dropping out.

So we need the Federal Government to step back up and say public education is a priority, we are going to fund it, and we are

going to begin to take care of that priority. That is part of the comprehensive package as well.

The other issue is recreation. At a local level and a State level, we need to begin to address the need for recreational opportunities, recreational facilities, and those kinds of things that young people can go to, participate in, and feel that it is a healthy, necessary part of our community life. So recreation is an issue.

The issue of employment I think is very important. The job stimulus bill that the Mayor already addressed is an important agenda. Young people need to be able to work, earn part of their living, have a sense of responsibility in place, and that comes from a paycheck, and that comes from the ability to say, "I earned this money and it was part of my job." That is responsibility, and that comes from jobs, and that comes from us offering at a local level and a national level full opportunity for young people to work and have quality work experiences. That is part of discipline, that is part of values, and that is part of the American way of life. We all deserve an opportunity, and we all deserve a job. I think youth employment is a major issue.

The other issue is the empowerment issue. I think too many times we speak at young people and not listen and participate in the discussions with them. There has to be programs at the Federal level that bring young people into the discussion, allows them to be part of the planning, allows them to feel empowered, and allows them to feel respected.

One of the things in alienation I have always felt is if you don't feel respected and you don't feel valued and you don't feel like you are a necessary cog in the decision that is being made about your life, then you step away from it, and you find somewhere else to get the value, to get the respect, and to get the understanding. We need to have programs designed at the Federal level and at the local level that address the issue of empowerment and the issue of value for young people.

The other thing is money. I hate to be blunt about it, but one of the situations we all face at a local level—and I know you confront it at a national level—is the lack of money and resources to start innovative programs, to fund organizations that need that seed money in order to work with young people, to fund those youth groups, to fund education, to fund employment. So as in anything, this is going to cost. A comprehensive approach to dealing with the issue of youth violence, youth alienation, and gang affiliation is not as simple as wringing our hands about it. It is going to cost money to solve it.

I would hope that this administration and Congress understands that a stimulus bill on jobs and a comprehensive approach to dealing with the issues of young people, not just violence, not just gang affiliation, but the issue of young people is going to cost money, and that it is a wise and necessary investment for this country to make right now.

The money we don't spend right now on education, on young people, on counseling, on employment, is money we are going to pay later for the kinds of dark sides of society—prison, increased policing activities, and increased cost to this whole society.

So my presentation to you, Senator, involves what Congress can do and what we at the local level can do, and that is going to involve us working together to try to stimulate and bring into this community the kind of revenue and resources of money that are going to help us put these programs together.

I again want to say that I appreciate your having this hearing, inviting me to participate in it, and I am prepared to answer any questions after the other presentations. Thank you, sir.

Senator DECONCINI. Thank you, Supervisor.

Councilwoman McKasson?

STATEMENT OF MOLLY McKASSON

Ms. MCKASSON. Thank you very much. I appreciate your holding this forum this morning. Shortly after I was elected, I received something in the mail that I would like to read to you this morning:

"In 1988, handguns killed 7 people in Great Britain, 19 people in Sweden, 53 people in Switzerland, 25 people in Israel, 13 people in Australia, 8 people in Canada, and 8,915 people in the United States." The statement ends with, "God Bless America."

We have a pied piper in this country. Senator, you mentioned that our children were being stolen from us. Indeed, they are. Our children are being stolen from us by violence—violence of all sorts, violence of poverty, violence of handguns, violence of lack of respect for other people, their cultures, their values, their ideas.

I think each of us is gathered in this room this morning to consider not what government necessarily can do about this, but what innovative thinking, what innovative, heartfelt thought are we going to have to solve these problems, to stem violence in our own families, to stem violence in our churches, our synagogues and our community, in our Government at all levels, and to nurture respect for a multicultural democracy that is suffering from thousands and thousands of juveniles dying in this country by violence.

Every day 14 children under the age of 18 are killed by guns. Hundreds more lose a limb, are blinded, or will spend the rest of their lives in wheelchairs. We must develop a two-pronged approach to end this violence. The first is getting rid of guns on the street, and the second is to support families and their children with preventive programs.

We must ban the manufacture and use of all automatic weapons, an idea first suggested by Forbes Magazine. We must pass stricter punishment for persons who sell guns to minors. We must mount a massive educational campaign teaching children about the dangers of guns, much like the STAR Program, Straight Talk About Risks, developed by the Center to Prevent Handgun Violence.

We must allow cities faced with increased juvenile violence home rule so they can pass appropriate laws to end the violence in their own communities.

Until 6 weeks ago, juveniles, 9-year-olds, 8-year-olds in this community and all over the State were allowed to carry weapons as long as they were not concealed. The problem has been revealed to us.

Several Arizona cities, including Tucson, passed more restrictive ordinances. The State responded with a new law that limits the carrying of guns by juveniles and also limits the cities in creating stronger laws. The new juvenile gun law is better, but it doesn't go far enough. It states that juveniles under 14 cannot carry guns unless they are with a parent, guardian, or rifle instructor. Teens between the ages of 14 and 18 can carry weapons if they are on their way hunting or on their way to target practice between the hours of 5 a.m. and 10 p.m.

Many Tucsonians feel this is a huge loophole, Senator. The new State law is very clear that cities cannot pass more restrictive legislation.

Recently in Tucson, 14-year-old Andrea Munoz went to visit a friend. The friend got his mother's gun from underneath the sofa and shot her in the head. He was arrested and has been under a suicide watch ever since. Her father, a dentist in our community, her mother and two brothers are a devastated family.

A 68-year-old grandmother was killed while sitting inside her home playing bridge with friends, shot by a passing car. Her grandchildren will never know her.

A 38-year-old woman was held up by three boys. Two of them were students at Rincon High, a 15-year-old and a 14-year-old. She was shot and killed for her car.

These are now everyday occurrences in this community and all over this country. It is shocking. It is shocking. All of us should be so shocked that we should take immediate action.

We need to reclaim our cities. We need to take the guns out of our children's hands. We need leadership on the Federal level, Senator, and I am so glad that you have stepped forward. You have my 100 percent support and the support of everyone that I have spoken to in this community.

We need leadership to regain the domestic tranquility that will protect our democracy and ensure its continued well-being.

The second prong is a preventive approach. The mayor and Supervisor Grijalva have addressed this very well. We must educate all our children about the dangers of guns. The Center to Prevent Handgun Violence has developed a program to teach children that carrying guns and using guns will not solve their problems. Straight Talk About Risk, the STAR Program, is a bilingual curriculum for kindergarten through 12th graders designed to reduce gun-related injuries and deaths among our young people.

STAR helps students develop skills in resolving conflicts nonviolently, resisting peer pressure, channeling their anger constructively, distinguishing between violence in the media and violence in real life, and respecting each other's culture and ideas.

We need to help parents limit the amount of violence their children are exposed to by eliminating violent shows on television between the hours of 3 p.m. and 8 p.m. We need jobs for our youth through JTPA funding and other innovative programs that are open to all kids. We need programs that teach young people to work together and feel proud of who they are and part of a larger community.

We can't achieve this without having teens work together and play together from all parts of our community. The Federal Gov-

ernment should establish a Youth Conservation Corps that gets kids into the desert and the mountains working on trails, picking up trash, working with young people from all backgrounds to make a better democracy.

We need job programs in this city where teens can help the elderly, work with city landscapers, learn how to be future active participants. Our young people need to feel that they contribute to the community in which they live.

Finally, we do need an increased amount of public money invested in young people. According to economist Sylvia Hewett, a mere 4.8 percent of the Federal budget goes to programs that support families with young children. This should be unacceptable. Education and youth programs should be the primary targets for new public spending on the Federal level, as well as the local level.

Finally, the three short-term things that I think the Federal Government could do to help stop juvenile violence would be banning the manufacture and sale immediately of automatic weapons in the United States. Second, ban juveniles from carrying guns unless with a parent, guardian, or licensed rifle instructor and involved in a legitimate pursuit of hunting or target practice. Finally, spending more money to help build stronger families. That means spending money perhaps on an industrial policy in this country and creating jobs that help children grow up in families that are safer and more self-sufficient.

In the long term, local and Federal Government officials must work together, and that is why we are here today: to change the bloodied face of this Nation that we all love so much to one of peace and respect.

Thank you very much.

Senator DECONCINI. Thank you, councilwoman. [Applause.]

Our next panelist is the former chairman of the board of supervisors and former mayor and city council of South Tucson, Supervisor Eckstrom. Thank you for being with us.

STATEMENT OF DAN ECKSTROM

Mr. ECKSTROM. Thank you, Senator DeConcini, for being here. It is always a pleasure to come back to Pueblo High School, a school where I graduated 28 years ago. The cafeteria looks the same. [Laughter.]

You know, I have got to say I agree with many of the comments that have been made by the panelists heretofore, and I want to compliment all of them for bringing up some points that I believe need to be mentioned. Certainly I agree with the comments made by my colleague, Supervisor Grijalva.

One of the things that I wanted to do today, Senator, is to say that while we hear many times a call for action, oftentimes we hear people talk about strategic plans, and we all know that plans take time. It takes dollars.

Unfortunately, we are in a situation where we need action, and action requires commitment—commitment from all of us who are in this together, not only those of us who are elected to positions of responsibility, but all of us in this community, a joint partnership

between the private and the public sector, between adults, between youth, between everyone.

We can sit here and give all the rhetoric we want, but it is going to require us to make some tough decisions. I feel somewhat disappointed and disillusioned today because I sit on a Board of Supervisors here in Pima County who, I believe, has a responsibility to serve the youth and children of our community.

I am sorry to say that we haven't acted that way. We can ask the Federal Government, we can ask the State government for funds and resources, but I think we also at the local level have to be in a position to not be afraid to make a commitment to deal with problems even if it requires something that those of us in elected office are deadly afraid of—raising taxes. I am not here to call for that; however, I think that is something that we have to look at.

In January of 1993, Pima County experienced severe flooding. What did we do? We made our effort to go out and spend additional money. Automatically, $4 to $5 million was committed to a bridge that was going to be planned several years from now. Not too many months ago, we had a request to construct and spend $850,000 to build a noise wall up on Skyline Drive because people were concerned about the noise that it made in their community.

I think local governments have to share in the responsibility, local governments have to commit their resources. Just like we can find money to deal with flood control and flooding problems, we have to find the money and the time and the attention to deal with issues that impact the youth and children of our community. [Applause.]

We have got to make tough decisions, and I am here to tell you, Senator, I am here to join with you and the rest of the members of this panel here to go back. I realize that times are tough. We have tried. But I think that we should leave here today with a resolve and a commitment to go forward. We talk about the number of jobs that we need to create here in this community. It is really sorry when you see 2,000 to 3,000 youngsters in our community who are unable to get a minimum-wage job because local government is not willing to commit dollars to fund these kinds of programs.

Certainly we can talk about public and private sector involvement. Unfortunately, we have a job program called Pledge-a-Job, in which the private sector, while they have done their best, they have only pledged 110 jobs. We need to do better than that, and I have got to tell you that if the private sector is not going to step up, I think that it is government's responsibility. And I will continue to ask that local government commit to the extent if we have to cut in other places. It is too important that our youth and our community have the opportunity to work.

We read in the newspapers where the police departments have said that during the summer months they are going to heighten their activity because we have many youth in our community who don't have things to do. I think one of the things that we can do in government to help stem the tide of those problems is to provide more job opportunities, and I will tell you today, Senator, that at our next board meeting, I will ask the Board of Supervisors to commit at least an additional half a million dollars for this summer. Whether or not we get the votes, that is a different story,

but I think we have to put our money where our mouth is and do what we have to do.

I want to thank you, Senator, for allowing me to be here. [Applause.]

Senator DECONCINI. Thank you very much.

The next speaker will be Councilman Wheeler. I understand, Mayor, you have another appointment. Thank you for being with us and showing your leadership. [Applause.]

I appreciate the public's response to everybody's statement here. We have some time restraints, so maybe we can hold the applause until the end of the statement if we can. I know some very positive things are being said, and everybody likes those responses. But we have a lot of witnesses here that I am going to try to get through before noon.

Councilman Wheeler?

STATEMENT OF BRUCE WHEELER

Mr. WHEELER. Thank you, Senator. I want to thank you again for the meeting that you held last night and again this morning. It is something that is sorely needed in this community. We have held numerous meetings, and I think one of the positive things that we have in Tucson, something that we are proud of, is that we have come together as a community. We have seen teachers and parents and elected officials, PTO's, social service agencies, and a very responsible and sensitive police department participate in this effort. And so to see you call a meeting in which the Federal Government is going to look at our community and see what can be done about this problem nationwide I think is something to thank you for.

We all are aware of your efforts to ban assault rifles, and that is certainly to be lauded. We are here because children are killing children in our community, and I would like to specifically address my comments, considering that so many wonderful comments have already been made and contributory comments by the people up here, to the fiscal matter.

In the City of Tucson, with a budget of $525 million, we were able, through cuts and other ways, to come up with $2.5 million of money that would be allocated to youth services in different ways, recreation and including the hiring of 10 additional police officers in a year in which we are finding some very tough budgetary constraints.

I think that what would help is—we were counting very much on that Clinton stimulus money. That failed, but now where do we go from here? In finding moneys on the local level to be able to meet these needs and these demands that are justly made of us, I think one of the things that hurts us the most is when the Federal and the State governments mandate services upon us and they don't give us the funds to provide those services with.

We have cut from our own budget in the last two years $41 million. Since 1982, we have lost $84 million—this is the City of Tucson alone—in Federal moneys. In addition to that, we have had services upon services mandated upon us.

I am not questioning the wisdom of those mandated services, but I certainly think that we need a tremendous amount of help in

meeting those services and those mandates with help from the Federal Government. So I would suggest to you that one of the most important things for you to take back to your colleagues in the Senate is that effort of helping us in that way. I think it is a fair way. It is not way of leaning on the Federal Government and saying, "Give us more money." But it is a way of saying that by working together and identifying what services we are going to provide, that you help us, you the Congress help us with all of those issues that we are working on.

So much has been said that I am not going to repeat, and in the interest of time I would like to hear what some of the panelists, and particularly what some of the youth, the young women and the young men that are in the audience and that are at the edge of this effort, what they have to say, because I think a large part of our responsibility is to listen to them, but certainly jobs, jobs and more jobs, and education, and recreation.

In Tucson, we face a real struggle in what kind of community we are going to be, not only on the issue of gangs and drive-by shootings and those challenges, but are we going to be a community in which we invest, invest in our youth, invest in our infrastructure, invest in our parks? Or are we going to be a community in which we are so afraid, as Dan Eckstrom said, to look at additional revenues that we begin to decay?

Are we going to be a community in which school boards begin to close high schools down? Are we going to be a community in which city councils decide to let their parks deteriorate?

No, I don't think so. And I think if we level with the public and we tell them what the choices are and we show them where we have made the cuts, I think they would go along with us in finding those additional revenues. I have spoken out on those. I don't think this is the forum for that, but the issue is that we need to find the revenues on a local and Federal level to meet our needs and become a thriving community in which we can take these kids and give them something with dignity and self-worth to do, rather than to find that escape in gangs. Gangs in not the place.

Again, Senator, thank you very much for having this hearing.

Senator DECONCINI. Thank you, Councilman.

Councilman Leal, we did not have you on the schedule, but I would be more than happy to take a short statement.

STATEMENT OF STEVE LEAL

Mr. LEAL. Thank you, Senator.

I think in the past people have either looked to solving the problem by looking at the causes, other people look at the effects, and we end up chasing our tail forever, because one without the other really doesn't work.

I think that we are too prone to want to fund programs that have to do with the effects of problems and building—the continuous building of prisons and that kind of punitive expression on the part of society is the best example of that sort of wrong-headed approach to dealing with these kinds of problems.

I think if funds are allocated that we need to lock in somehow that at least as much money goes into prevention as goes into dealing with the symptoms. That would at least be a good start.

Some of the other things that I think the Federal Government could do—we are trying to do it locally—is the city has made stress maps. We have used census data, targeting some key variables, dropout rate, percent below the poverty level, ratio of owner-occupied to rental housing, et cetera. And so we have cultivated for ourselves a frame of reference so that when we allocate block grant moneys, when we think about where Park and Rec moneys go, we can choose wisely. We can be intelligent about it.

We have built another column in the computer memory for the city so that we can track where the capital improvement budget goes, so that some parts of town don't get all the money and other parts don't get any. After a couple of decades of that, what do you have? You have got inner city decay.

I support very much having funds come out of Washington to help pay for mandated services. Bruce touched on part of that. I think the other thing is that those services that have come to the city to pay for in the last decade have eaten $25 million out of our budget.

I also think it makes sense that some of the money that is confiscated by police from drug dealers be used to create programs like treatment on demand and other prevention programs. Those dollars came out of our communities. It would be good if they could come back into our communities, but in such a way that it helps undermine the very pernicious cycle of violence that is producing the crime in the first place.

In the 1950's and 1960's, America spent almost 7 percent of its nonmilitary budget on soft and hard infrastructure. We were investing in our Nation. That has shrunk in the last decade to 1.2 percent. We are not investing in our Nation. We have not created jobs. We have not funded education adequately. And the decay and the malaise and the hopelessness in part that we see I think is a result of that. An industrial policy has been discussed. I feel very strongly that this Nation needs an industrial policy so that we can compete with Japan and Germany and the rest of the international market.

I will leave it at that. I am in very strong agreement with the things that other people have said here. One last thing I would say: In Tucson, to our credit, the various entities—whether it is the school districts, the supervisors, the Council, et cetera—have set aside a lot of boundaries and are working to create and protect the community. And the Government needs to do more, and we are working to do more. But to our credit, and as evidenced by the people that are here today, the community feels a sense of responsibility. They feel they are acting out their caring, and they want to do more. And so one of the things that I think we need to be able to better do is to help them work with us to solve our problems together.

Thank you.

Senator DECONCINI. Thank you, Councilman, very much. I want to thank the panelists for taking the time and particularly for some of the specifics you have outlined here. They are very helpful.

I do have some questions. Because of time, I am going to ask, if you would be so kind, if I sent some of them to you, particularly on a little bit of broadening of some of the specifics that you have suggested. This figure on unpaid mandates you quoted, Councilman Wheeler, is very disturbing. And I appreciate the specifics, Councilwoman McKasson, that you have put out, and Supervisors Eckstrom and Grijalva and Mr. Leal, concerning some particular ideas that we need to focus on at the Federal level. I do have a couple of questions, and I will ask you to respond and send them back to me. Thank you very much.

Senator DECONCINI. Our next panel here is law enforcement and judicial: Pima County Sheriff Dupnik, Chief of Police Hedtke, Gary Smith from the Sierra Vista Police Department, Judge Collins, Juvenile Judge, and Pam Treadwell-Rubin, Pima County Attorney's Office, Juvenile Division. If you would all come forward, please?

Anybody in the audience who wants to have a statement can leave it here or they can send it to our office. It will become part of the official record for the Senate Judiciary Committee and will be printed as such. We will leave that record open for at least 2 weeks after these hearings.

Sheriff Dupnik, thank you for your continued leadership and participation not only today but in the innovative program that you have been involved in dealing with gangs and violence in our community. Welcome. We will start with you, Sheriff.

PANEL CONSISTING OF CLARENCE W. DUPNIK, PIMA COUNTY SHERIFF; ELAINE HEDTKE, CHIEF, TUCSON POLICE; HON. RANER COLLINS, JUVENILE JUDGE; GARY L. SMITH, SIERRA VISTA POLICE DEPARTMENT; AND PAMELA TREADWELL-RUBIN, PIMA COUNTY ATTORNEY'S OFFICE, JUVENILE DIVISION

STATEMENT OF CLARENCE W. DUPNIK

Mr. DUPNIK. Thank you very much, Senator, for inviting me to participate and thank you very much for holding these hearings, as you always do.

I would also like to thank you for the many things that you do for law enforcement on a regular basis over the past 16 years. I don't know what we would do without your leadership, without your dedication, and without your support of law enforcement. We wouldn't have a jail treatment program if it weren't for you for drug offenders. We wouldn't have a HIDA Program for involving local law enforcement in Arizona if it weren't for you. We wouldn't have a D.A.R.E. Program, and we wouldn't have many of the programs that we enjoy, the resources that we have to try to do something about the war on drugs and the war on crime generally. So on behalf of all of us in law enforcement, Senator, thank you for your leadership and support.

I brought a statement for the record which has been submitted, but sitting thumbing through the pages and listening to some of the other speakers, I thought maybe I ought to say what is really on my mind. Maybe after 35 years in law enforcement I have earned the right to say what I really think.

Senator DECONCINI. I think you have.

Mr. DUPNIK. About a dozen years ago, I participated in an Arizona Town Hall, and I know when you were county attorney in Pima County, you probably participated in one or two yourself. The topic of that particular town hall was crime and violence in Arizona.

A few months ago, I was invited to participate in a planning committee for an upcoming Arizona Town Hall, and the subject again is crime and violence and drugs in Arizona, which I thought how ironic. In 12 years of strategizing and trying to deal with the problem, what have we really accomplished? And obviously the answer is that we have continued to lose ground, and it is very, very disturbing.

It seems to me that government generally tends to deal with the problems of crime and violence, and I might say that I think that all the problems of antisocial behavior probably have similar root causes. And if you are talking about gangs and youth violence and the causes for that, the causes are probably the same for most antisocial behavior, most crime, and a lot of other things that I see that are very disturbing going on in our society.

It seems to me that we deal with these problems probably because they are so complicated, so difficult to get at the root causes. We tend to deal with them in a kind of superficial and perhaps simplistic way. And I think if we are going to get a handle on this problem and try to stem the tide, then we need to be a little more creative and we need to be a little more dedicated, determined that we are going to find out what the cause of this problem is and start dealing with the cause.

I agree with what many of the speakers have said. The knee-jerk reaction of our society is to get tough with criminals, and that is how we and the legislature and sometimes law enforcement tend to deal with these problems.

If you just look at murder, in many ways we have been talking about murder as the ultimate act of violence, and it certainly has been increasing in our community and nationwide. We have some pretty tough laws. We kill people who kill people, and that crime is still on the increase.

I am not suggesting for a minute that we need to start throwing people out of prison, but I am suggesting that punishment has only an optimum point beyond which it probably doesn't serve as much of a deterrent. And we need to take that into account. What I really see that disturbs me is the slide of our values.

A few years ago, there was a study done which indicated that a child spends as much time in front of the TV set in their first 6 years of life as they do in the next 12 years in the classroom. Unfortunately, for a variety of reasons, our society has changed, and many of our youngsters are being brought up to a large extent by baby-sitters and TV sets. And I don't think they are really doing a very good job.

I think it is values that ultimately impact attitudes and, consequently, behavior. And until we start to deal with the hard problems of the value systems that have changed over the years, I don't really hold out much hope that we are going to make any significant progress. We can build more parks. We can build more recreation. We can find more jobs. All these things are noble, worthwhile,

and we ought to be doing them. But I don't really think they are going to solve the problem.

If you give Chief Hedtke over here another 1,000 cops and you give me 500, we really will do a much better job of serving this community. We will respond a lot faster. We will put a lot more people in jail. But in the final analysis, we are still going to have a significant number of crimes committed, especially by the youngsters in this community.

I am not suggesting for a minute, because I think there are still some board members out in the audience, and I am up for a budget hearing soon, and we do provide lousy service and we do need more law enforcement officers to provide a better level and a better quality of service. But what I am suggesting is that we have some very deep-seated problems in this society, and until we are willing to deal with them, I don't hold out much hope.

I would suggest, Senator, that what we need is people who agree that our value system is slowly sliding into the sewer. We need to find out why and what is impacting that value system and causing our families to decay. People that ought to be raising our children and doing the job aren't doing it; why? We need to develop a national strategy to deal with some of these issues.

It is very difficult to deal with because ultimately you get into constitutional questions of censorship when you start talking about violence on TV, but too many of our youngsters are growing up desensitized to violence, growing up with an artificial perception of what reality really is, growing up with a compulsion, a need to have the thrills, the rush, because of the things that they are exposed to on TV. In reality, life is pretty dull and boring.

We need to start looking at those kinds of issues, and I would suggest maybe we need a national commission to do this. I submit to you, Senator, that you are the perfect person to head such a commission. Thank you.

[The prepared statement of Mr. Dupnik follows:]

74-122 O - 94 - 5

**SUMMARY OF TESTIMONY TO UNITED STATES
JUDICIARY SUBCOMMITTEE ON JUVENILE JUSTICE
BY CLARENCE W. DUPNIK, SHERIFF OF PIMA COUNTY, ARIZONA**

Sheriff Dupnik's testimony reflects his experience and reaction to the trends regarding juvenile violence within his jurisdiction. The observed increases in juvenile violence are supported by statistics and personal observation. Sheriff Dupnik briefly outlines his agency's response to the disturbing trends in juvenile violence, and his views as to the need for a multi-discipline approach to the solution.

**TESTIMONY TO THE UNITED STATES SENATE
JUDICIARY SUBCOMMITTEE ON JUVENILE JUSTICE
BY SHERIFF CLARENCE W. DUPNIK**

I would like to extend my gratitude to the Juvenile Justice subcommittee and especially to Senator DeConcini for inviting the input of local law enforcement regarding the apparent increase in juvenile criminal behavior and youth violence. Our community is observing both an increase in the amount of violence attributed to young people and a change in the nature and conduct of the behavior of violent youth offenders.

Since January of this year my agency, which provides law enforcement services to the suburban and rural areas of Pima County, has already investigated two murders attributed to young people. One of those cases was this community's first known fatal carjacking, a vicious and violent crime virtually unheard of until quite recently. In 1992, a record seven juveniles were charged with homicide by my agency. The overwhelming majority of these youth-involved homicides share a frightening similarity in that they involve a single victim and multiple juvenile perpetrators. That is to say, the youth are acting in concert with other young people to commit these violent crimes.

The statistics regarding burglaries committed by juveniles in my jurisdiction illustrate the same two trends: juvenile involvement in criminal behavior is increasing dramatically, and the crimes are committed by groups of juveniles as opposed to individual offenders. In 1992, the Pima County Sheriff's Department arrested 53 juveniles for burglary. Through April of this year, my burglary investigators have already arrested 94 young people for this crime; the overwhelming majority of which were working in concert with peers their own age.

I believe these trends in juvenile violence and criminal behavior result from the same societal influences that have manifested the huge surge in juvenile gang activity evidenced in our community. In 1989, there were 1,800 gang members in all of Arizona. In 1992, 2,400 youths were known to be members of gangs in Pima County alone.

Gang membership is not all that has increased in recent years. The degree and amount of violence perpetrated by known gang members has risen as well. In 1991, the weapons of choice for gang members encountered by Sheriff's Deputies were knives and baseball bats. In 1992, my officers investigated 47 acts of violence directly related to gang activity and entered 62 guns into evidence from these incidents. If this year's trend continues, we will see over 80 gang related incidents of violence involving firearms. We have already secured 27 guns from gang members operating in the unincorporated parts of the County this year.

The law enforcement community has already reacted to these disturbing trends with innovative deployment of its traditional resources and techniques. Our specially trained Gang Unit has been successful in identifying and bringing many young violent offenders into the criminal justice system. Our success in making arrests, however, really highlights a failure for our society. While I believe we must improve enforcement efforts and need your help to do that, I believe strongly that non-enforcement measures such as education must become part of the law enforcement contribution to the overall solution.

I believe programs such as GREAT, (The Gang Resistance Education and Training program), which has been promoted and supported by Senator DeConcini, should become as common place as the widely recognized DARE, (Drug Abuse Resistance Education) program. We have seen a tremendous level of support from the community for our DARE program. The youngsters who participate appear to form strong bonds to our DARE officers and truly embrace the ideals presented during the program. I believe a similar approach to gangs and youth violence, in concert with appropriate discipline and enforcement action, would yield success similar to that of the DARE program.

Youth violence and crime is not a problem that law enforcement can solve alone. With your help and support, law enforcement can improve its response to this challenge, but I believe your inquiry will clearly show the need for a much broader approach that reduces the sensationalism of violence in our media, reverses the deterioration of discipline in our schools, and returns a sense of self-esteem and hope for the future that so many young people in our society appear to have lost.

I can think of no better investment than that which we make on behalf of our nation's young people. Our nation can ot afford to ignore the illness that is manifesting itself in this epidemic of youth violence. I wish you well in your endeavor to fathom this problem and thank you again for this opportunity to speak.

Senator DECONCINI. Thank you, Sheriff Dupnik, for that statement. It is most revealing and gets to the heart of the problem, no question about it. I wish I had an answer.

Chief Hedtke, thank you for taking the time to be with us today. You demonstrated some of the programs you have started with your police force on the street, in the hearts of our neighborhoods, last night. We heard some complaints, but we also heard a lot of compliments. Officer Malino was there with some good responses and was well received by the community, I might say, so thank you for your leadership. You may proceed.

STATEMENT OF ELAINE HEDTKE

Chief HEDTKE. Senator, thank you for the invitation to be with you. I certainly echo what I would say is the most appropriate, appreciative remarks that Sheriff Dupnik mentioned in terms of your support in the past, not only for law enforcement but for public safety. And I would underscore the public safety angle much more because what we are all here about is to provide for public safety.

I too have submitted the general type of report that will speak about all the statistics and the all of the issues that cause us concern in Tucson. And I could read through that, but I don't think that is what we are really here about this morning.

I think what we are really here about is to talk: How is it that we in a community address the issues that face us in terms of quality of life, in terms of safety and security in our streets, in our schools, in our neighborhoods?

I am going to say that what I have seen over my years of public service is that we look at issues in a way that becomes almost cosmic. Somehow or other there is supposed to be a final, absolute way to address an issue. And we believe that that is going to be done and arrived at on a national level, on a State level. And I am going to suggest that I don't think that is true. I don't think that the Federal Government can come into any community and say here is how it is going to be resolved. I don't think the State government can do that. I think only the local government and the local neighborhood and the people in a community can do that. And so I am going to make a plea for people in this community and in every community in this country to come to grips with their own reality and to quit looking for the solution some place else.

We are going to talk about neighborhood organizations. We are going to talk about people that care about people. You heard last night about the need for the police department to work with the community. You heard that again this morning from Mr. Grijalva.

This police department has understood that for a number of years and has worked steadily toward working to develop an attitude of community-based, problem-oriented policing. We have been doing that for over 17 years.

We are not there yet because it is a long haul. It takes a lot of effort. The nuts and bolts of service delivery get in the way of being able to sit down with people like Mr. Chavez and others to deal with the issues in a neighborhood. Officers that have to go from a call to a call to a call, that get called off of those calls in order to respond to the next one, haven't got the time to work with

the community to come to real resolution. All they are able to do is put on a band-aid.

Well, the band-aids don't work. They don't work. The only thing that is going to work is all of us sitting down together and coming to an internal strategy about how to deal with the issue in our neighborhood, not in the city as a whole but on my block.

I have had people say, "Well, how do you deal with the fact that kids don't have anyone to take care of them? There is no one at home after school." I submit to you that some of the plans that have been used in some neighborhoods work pretty well. A mother of a family that does stay home with her children is then hired by other families on the block to be the Kool-Aid house for kids after school. And so that neighborhood responds to its own need.

No, it is not a federally funded program for kids to go to some neighborhood center down or across town. It is something that is done immediately. It is done personally, person to person. And so I am going to ask this community to reach out to itself, care about itself, respect itself. Start in your own home. Then go to your neighborhood. Then go to your community. Reach out.

Mentoring programs are absolutely necessary, but we will be our own solution.

We have heard a call for prioritization of our funding and dealing with the issues so that those things that are important get prioritized and dealt with first. It is hard. It is very hard because there are lots of demands. But communities must prioritize.

Scripture has said, "Woe to that generation that neglects its children." And I submit to you that if we don't deal with our children now, we will deal with them, or perhaps better yet, they will deal with us in the future.

And so the answers aren't absolute, but they do include groups that work in partnership together, neighborhood by neighborhood, block by block, so that you care about who lives next to you and you know who it is that lives next to you.

All of you together understand that our commitment, our responsibility in our community is to provide for our future, and our children are our future.

Thank you.

[The prepared statement of Ms. Hedtke follows:]

YOUTH VIOLENCE, JUVENILE JUSTICE
AND COMMUNITY SAFETY

As members of a diverse society, we have all become acutely aware of the problems that today confront our children. We, like most throughout the United States, are experiencing increased violence as our children express their frustrations. These acts of frustration are why we are all assembled.

There is little question that youth crime is on the increase in our nation. Tucson reflects that increase in youth crime. Youth violence is a result of many societal issues inclusive of abused and neglected children living at or below the poverty level; faltering education and deteriorating educational facilities, adult and youth unemployment, increasing numbers of single parent families and the lack of traditional family values being instilled in our youth. The Children's Action Alliance (1992) found that 210,000 Arizona children live in poverty, under $12,700 for a family of four. The report also states that 39% of Arizona's students scored below the 40th percentile in nationally standardized tests in 1990 with significant race/ethnicity disparities. The Tucson Community Foundation's report, "Pima County Children's Mental Health Needs Assessment Study" (1990) found that "...over 9,000 families with children in Pima County live at or below the poverty level; almost 9,500 cases of child abuse or neglect are reported each year; more than 26,000 children currently live in single parent households; and almost 1,400 Pima County babies each year are born to teenage mothers."

The Foundation's report concluded that Pima County has a substantial at risk population and provides fertile ground for the criminal gang culture.

Nationally, criminal activity is on the decline. While one would expect Tucson to be representative of this trend, it is not. Youth violence in Tucson is increasing. The most glaring illustration is a 56% increase in arrests of persons under eighteen years of age for weapons misconduct. In 1991, 118 arrests were made and in 1992 184 arrests were made. Comparing 1991 to 1992 in arrests of persons under the age of eighteen, there was a 16% increase in aggravated assaults, 47% increase in robberies, and a 300% increase in homicides. Specifically addressing gang related crimes, aggravated assaults increased 33%, robberies increased 40%, and homicides 300%.

Street drug selling offers low income youth economic opportunity which is more lucrative than the limited legitimate opportunities available to youth. Through drug dealing and gang participation, youths can have fancy cloths and weapons. Glamour commands respect. Disrespect is answered with violence. With this mind-set, violence tends to beget more, as everyone tries to gain respect. Shootings over hand signs and beatings over dress

illustrate the extremes this mind-set reaches.

The citizens of Pima County are afraid. This fear is fed by direct contact or media coverage of gang related incidents such as these:

- the robbery of a bank by a band of armed men who pistol whipped employees
- the robbing and shooting of a cab driver by five male clients who left him for dead
- the shooting of a young man in a bar because of the way he wore his hat
- the murder of a sixteen year old gang member and wounding of an innocent bystander hanging out in a parking lot
- the drive-by murder of a middle school student walking home from school
- the drive-by murder of a high school student during school hours
- the near fatal drive-by shooting of a four year old girl with her mother in a park because of someone else throwing hand signs

These events shape the way we think about our community and safety. Much of this violence has received extensive media coverage. People are afraid to walk in their neighborhoods. Parents are worried about the safety of their children in school.

Our children are in danger not only from violence but from the pervasive influence of destructive lifestyles. During the summer 1991, police served a search warrant on an active crack house, an apartment which was extremely busy especially in the early morning hours. The individual arrested was a known gang member. When officers entered the apartment, they found five children under the age of ten with the adults. There were no toys, books or even a television in the home. The refrigerator was empty. Two of the older children detailed the operation of the crack house. This was their only developmental life experience.

Tucson defines a community that has a high level of low income residents, with resulting problems that induce low-income youth to be tempted by gang lifestyles. More specifically, the low income neighborhoods have been most prone to gang activities.

Less than three years ago, when the Tucson Police Department formed its gang unit, there were approximately four hundred identified gang members. Today, there are over 1,700.

Tucson is experiencing many of the national trends involving youth violence. This increase in youth violence is rooted in gang related activities. Consequently, the primary focus of our efforts should be directed towards education, early intervention, prevention and long term incarceration.

The Tucson Police Department is actively involved in supporting city programs which provide alternatives for youth and

private organizations and neighborhood programs similarly focused. We have committed substantial resources to the education and early intervention of "at risk youth." Two sergeants, one detective and seventeen officers are assigned to provide educational information and positive choices/role models to youth, kindergarten through middle school. Part of these officers' responsibilities is to ensure the safe educational environment in which all available resources can be directed towards providing positive choices. The concept is to identify topics of interest to youth, identify resources within the community that would enable these topics of youth interest to be readily available and easily accessible.

The Tucson Police Department has also reorganized the Gang Unit with components of intervention/prevention and follow up investigations to affect long term incarceration.

However, this problem will not be eradicated by the efforts of law enforcement alone. Youth violence is a result of the societal issues that have already been addressed. We must all actively participate in the partnership of identifying resources and directing them towards youth specific problems. Most importantly, each of us must assume the function of mentor and role model for all youth within our community. The Tucson Police Department's Youth and Family Services section is designed to address the multifaceted dimensions of youth development. We seek the support of community resources, community programs, and political direction towards long range active commitment in this concept.

Although there is little question that youth violence is on the increase there is no question that without the investment in our children today, we will all pay an enormous price tomorrow.

Senator DECONCINI. Thank you, Chief Hedtke, very much. It is very, very encouraging to hear local officials, as I just have from the two of you and others, say that they're not just looking to the Federal Government for the answers. We obviously don't have them. Even if we had the money, we don't have them, but to call on the community. Being a native Tucsonian. I think that is where the answer is, too, and I am so glad to hear that from the chief of police.

Judge Collins, thank you for joining us today. I know you have a busy schedule at the juvenile court, and we appreciate your taking the time to be with us today.

STATEMENT OF HON. RANER COLLINS

Judge COLLINS. Thank you, Senator. I am going to stick with my prepared remarks so I don't get myself in trouble.

Let me say that Tucson and Pima County are becoming just like other large metropolitan areas. The influence of gangs and violence have not failed to pay us a visit, and they didn't just get here.

In 1988, there were 12 children arrested for homicide in Pima County, and my memory tells me that at that time barely a ripple of public interest surfaced. In 1989, 1990, and 1991, the numbers were five or six children involved in homicide. Once again, it seemed barely anyone took notice. But in 1992, we had a banner year. There were 22 children involved in homicides. Some of those cases were spectacular. The news media played them up, and they drew public attention to a problem that we now face.

The instance of violent crime went from 1,016 in 1988 to 2,078 in 1992. By this I mean committed by juveniles. In 5 years, it doubled. We have seen a significant increase in the number of children under age 14 being brought before the juvenile court. In 1992, there were 3,164 instances of children under the age of 14 involved in some type of offense, and 646 were violent offenses. In fact, one of the alleged homicide crimes was committed by one 14 years old.

Let me briefly mention some of the reasons why I think we have a large and rapid increase in the violent juvenile crime. We need to recognize that being a child today is much more difficult than it has ever been. Today's children are faced with guns, gangs, drugs, low self-esteem, lack of discipline, and the temptation of doing things the easy way. These children see the crumbling of this Nation's infrastructure, and they can honestly wonder what will be left for them.

They have seen us cut funding to educational institutions and the failure to fully fund social programs designed to help them. They see portrayals of a glamorous life on television and the movies. They feel a sense of anger and frustration. The violence that they see on the screen has little to do with their own reality of life. Like all children before them, today's children have no real sense of their own mortality. Those who do, do not care. They have been brought up in a society that gives great weight to the material things a person possess and less and less to the moral content of their character.

I must also point out that many children today live in single-parent homes. More children today come home from school and

expect to stay alone, not just for an hour or two but for some all night.

It is difficult to say exactly what causes kids to be involved in crime. We know there are certain risk factors, however. We know if a child goes to school hungry he will not be able to pay attention in class. We know if a child is ill clothed, he won't be able to pay attention in class because of the attention he himself gets because he looks different from everybody else.

We know if a child feels disassociated from those around him that he also will not do well. We know that drugs, alcohol, and weapons of all types are easily accessible.

Social scientists tell us now that if one of your parents is an alcoholic, your chances of being one are enhanced greatly. If you were an abused child, chances are you will continue to be involved in abusive relationships.

We now use such as terms as unbonded, fetal alcohol syndrome, crack babies, emotionally handicapped, delayed, and latch-key kids. These words were quite foreign to our vocabulary 20 or 30 years ago.

Let me offer some solutions. First of all, we still deal with children much as we did 20 or 30 years ago. Probation officers are typically swamped with too many cases to handle to give much quality of supervision. Most rehabilitation programs are ill funded to run the way they should, and in the few good programs that exist, only a small number of kids will ever be served.

Many programs, local, State, or national, that target early intervention are the first ones cut in budget crunches. We give a lot of lip service to being concerned about our children, but not a whole lot of anything else.

The children that we are talking about are typically identified by the lack of discipline, poor social skills, and poor school performance. The programs that deal with these children by and large are the same today as they were 20 years ago, and by that I mean almost nonexistent. Those that do exist are expensive and far from home.

I recently heard an educator say, "Our school system treats kids today in education the same way it did back in 1990." We have to change the way we deliver services. We have not kept up with the changes in our society that affect our children, and our children mirror society as a whole. The problems that adults have, our children have.

We need to design a system that is adequately funded to deal with the problems of today's youth. We must form an educational model that is geared to educate the difficult child. We must teach basic social skills and acceptable modes of behavior. If the juvenile system is to work in the present and in the future, it must be adequately funded and encouraged to develop new ways of dealing with children.

We should also note that the greatest population now being served by the juvenile justice system are of minority extraction. The few good programs that exist outside of juvenile court programs often have not dealt with the minority child. Most do not have minority employees. Minority children have not often had opportunities to participate in these programs. These children have

been run through a system that bears little relationship to their reality. They do not often see a face the hue of their own. Their ethnic ways are often misunderstood.

We must design programs to reach children early, not when they first commit a crime but even before. We must have supportive programs available to children from birth.

It is a frightening time for children today in our society. It is a total shame in our society that guns, crack, and prison cells are more readily available to them than education and social services.

Thank you, Senator. [Applause.]

[The prepared statement of Hon. Raner Collins follows:]

Superior Court of the State of Arizona
Pima County

HON. RANER COLLINS
PRESIDING JUDGE

JUVENILE COURT CENTER
2225 E. AJO WAY
TUCSON, ARIZONA 85713-6295

DIVISION 22
(602) 740-7966

May 27, 1993

The Honorable Dennis DeConcini, U.S. Senator,
United States Senate Judiciary
Subcommittee on Juvenile Justice
United States Senate
Washington, D.C., 20510-0302

Dear Senator DeConcini:

I would like first to thank the subcommittee for allowing me to address you on the issue of juvenile violence. Very recently juvenile crime and the violence associated with it has sky rocketed in our nation. I want to share with you what we in Tucson and Pima County are experiencing. Then I will share with you what I believe are some of the reasons for this increase in juvenile violence and crime. I will also share some possible solutions.

Tucson and Pima County are becoming just like other large metropolitan areas. The influence of gangs and violence have not failed to pay us a visit.

In 1988 there were 12 children arrested for attempted homicide or homicide in Pima County. My memory tells me that at that time barely a ripple of public interest surfaced. The numbers for 1989, 1990 and 1991 were either 5 or 6 children involved in homicide or homicide attempts. Once again, it seemed barely anyone took notice. In 1992, however, we had a banner year in that at least 22 children were arrested for homicide or attempted homicide. Some of those cases were spectacular in the nature in which the press covered them and therefore, drew public attention to the problem that we now face.

Aggravated Assault charges in which weapons may have been used, either knives, guns, or sticks, went from 166 occurrences in 1988 to 590 in 1992. Domestic violence incidences went from 212 in 1988 to 567 in 1992. In the categories of homicide, attempted homicide, kidnapping, rape, robbery, aggravated assault, threatening, endangerment, simple assault, domestic violence, child molesting, sexual offenses, and arson in which lives were endangered, the total number of occurrences went from 1,016 in 1988, to 2,078 in 1992. This means that in five years the total occurrences in these areas had doubled.

There are other weapons charges such as Carrying a Concealed Weapon, which went from 70 in 1988, to 222 in 1992. These figures leave no doubt that violent juvenile crime is on the rise in Tucson and Pima County.

We had seen a decrease in the use of drugs for a while with these children and now drug use and court involvement are also on the rise.

We have also seen a significant increase in the number of children aged 14 and under being brought before the juvenile court. In 1992 there were 3,164 children under the age of fourteen arrested for some type of offense. These children are also involved in violent crime. In 1992 there were 646 violent occurrences attributed to youth under fourteen. In fact, one of the alleged homicide participants was only fourteen years old.

Let me talk about what I believe are some of the reasons for the large and rapid increase in violent juvenile crime. We need to recognize that being a child today is much more difficult than it has ever been. Today's children are faced with guns, gangs, drugs, low self-esteem, lack of discipline and the temptation of doing things the easy way.

These children see the crumbling of this nation's infrastructure and they can honestly wonder what will be left for them. They have seen us cut funding to educational institutions and the failure to fully fund social programs designed to help them. They see portrayals of a glamorous life on television and the movies. They feel a sense of anger and frustration. The violence that they see on the screen has little to do with their reality. Like all children before them, today's children have no real sense of their own mortality. Those who do, do not care. They have been brought up in a society that gives great weight to what material things a person possesses and less and less to the moral content of their character.

I must also point out that we have had a breakdown in family values. In fact, the very existence of the family has broken down. More children today live in single parent homes. More children today come home from school and are expected to stay alone, not just for an hour or two, but for some, all night.

In Juvenile Court you see children from all walks of life with all types of problems. I have encountered children who have been abused by their parents. This could be an explanation for why they are in trouble. I have seen children whose parents have done everything they possibly can, and the children still wind up in trouble. Therefore, being able to say exactly what causes a child to turn to a life of crime is a difficult thing. However, we must be aware of certain risk factors. We know that if a child goes to school hungry, he will not be able to pay attention to what is happening in the classroom. We know that if a kid is ill clothed, he will not be able to pay attention to what is happening in the classroom because of the attention the other children will pay to him. We know that if a child feels disassociated from those around him, that child will also not do well. We know that drugs, alcohol and weapons of all types are easily accessible. Social Scientists tell us now that if one of your parents is alcoholic, your chances of being one are enhanced greatly.

If you were an abused child, chances are you will continue to be involved in abusive relationships. We now use such terms as "unbonded," "fetal alcohol syndrome," "crack babies," "emotionally handicapped," "delayed," and "latchkey kids". These words were quite foreign to our vocabulary twenty to thirty years ago.

I have encountered children in Juvenile Court who have a variety of responses when asked why they are involved in trouble. One response that stuck with me is with a victim who was involved in a gang-related shooting. He had been shot in the stomach. His startling remark was that he was surprised that being shot hurt.

What are some of the solutions to curb this rise in violent crime? First of all, we still deal with children today much as we did twenty years ago. Probation Officers are typically swamped with too many cases to give much quality supervision. Most rehabilitation programs are ill funded to run the way they should. In the few good programs that exist, only a small number of children will ever be served.

Many programs, local, state or national, that target early intervention, are the first ones cut in budget crunches. We give a lot of lip service to being concerned about our children, but not a whole lot of anything else.

It is still a relief to say that most children today, like the children twenty or thirty years ago do not get involved with the juvenile justice system. For those children who get involved, the vast majority make only one or two trips and they shape up. There is however, a "hard core" (for lack of a better term to use), group of children who need something more than writing a letter of apology, paying restitution or performing community service. These children are typically identified by their lack of discipline, poor social skills and poor school performance. The programs that deal with these children by and large are the same today that they were twenty years ago, almost nonexistent. Those that exist are expensive, long-term, and in the case of most residential treatment centers, far from home.

I heard an educator say recently that we have the same basic educational system for our schools that we had in the early 1900's. For the most part, our delivery of probation type services for juveniles is the same as it was twenty or thirty years ago.

We have not kept up with the changes in our society that affect our children. Our kids mirror society as a whole. The problems that adults have are shared by our children.

We need to be able to reduce probation officer caseloads so they can spend more time trying to help these children learn some of the social skills that they will need to survive. We need to create educational opportunities to work with these children. We should also note that the greatest populations represented in our juvenile institutions today are of minority extraction. The few good programs that exist outside of juvenile institutions often have not dealt with the minority child. Most do not have minority employees. Minority children have not often

had opportunities to participate in these programs. These children have been run through a system that bears little relationship to their reality. They do not often see a face the hue of their own. Their ethnic ways are often misunderstood.

We are still trying to understand the dynamics of these children's lives. Their dysfunctional families are different from those that we have ever known. A child from drug abusing or alcoholic parents now has a different outlook on life from a child from a substance abusing family twenty years ago. The penalties faced by a drug abuser are significantly more severe than those faced by an alcohol abuser. The stigma attached to drug use is so much greater than that attached to one who drinks alcohol.

Solution: We need to design a system that is adequately funded to deal with the problems of today's youth. We must form an educational model that is geared to educate the difficult child. We must teach basic social skills and acceptable modes of behavior. If the juvenile system is to work in the present and in the future it must be adequately funded and encouraged to develop new ways to deal with children.

This country has currently locked up over a million of its people. If the juvenile system fails to get the funding it needs on the front end, we shall pay dearly on the back end. This is not only a waste of money but also a waste of life.

Programs must be designed to reach children early, not just when they first commit the crime, but even before. We must have supportive programs available to children from birth.

It is a frightening time for children today. It is a total shame in our society that guns, crack and prison cells are more readily available to them than education and social services.

I thank you for your interest and the opportunity to address you.

Sincerely,

Roner C. Collins, Presiding Judge
Pima County Juvenile Court
Division 22

RCC:tdp

Senator DECONCINI. Thank you very much, Judge Collins.

I want to thank the Sierra Vista Police Department for sending Gary Smith here to give us a little perspective on the rural problem of violence and gangs and what have you. We welcome you, Mr. Smith.

STATEMENT OF GARY L. SMITH

Mr. SMITH. Thank you, Senator.

Some of the information I am going to give is going to make Sheriff Dupnik and Chief Hedtke jealous. I would like to paint a little picture of Sierra Vista. It is a small community in southeastern Arizona. It is about 80 or 90 miles southeast of Tucson here, and we have a low crime rate. That is kind of one of the hidden secrets of Sierra Vista. It is a very low-crime-rate city.

For example, we have never had a bank robbery. In 1986 and 1987, we had no murders. In 1988, we had one. In 1989, we had one. In 1990 and 1991, we had none.

The street gang problem came to Sierra Vista, we can trace it back to 1987 when all of a sudden we started getting a lot of calls to our high school about fights, assaults, and they kept telling us the kids were wearing blue bandannas. And we saw the gang problem grow.

It has continued to grow. Right now in Sierra Vista we believe we have six street gangs with about 125 active members and maybe 125 associates. In 1992, we had 10 gang-related shootings. We had two homicides. One of them was gang-related.

That is kind of in the rural community the perspective of how the gangs and violence have affected our crime problem. It has gone from nothing to those incidents that shock the community.

What did we do as a rural community? Probably what Tucson has done and Phoenix and everywhere else. We responded by suppression. We tried to put a lot of these people in jail and chase them out to Tucson. We kept giving out these pamphlets to come here. It didn't work. They are still down there.

We discovered very quickly we needed the community to help us as police agency. We went to the schools for their help. We have gone to the neighborhoods, and just this last year we formed a street gang task force. It has various committees: a jobs committee, finance committee. Our community has gone from one of denial of the problem to acceptance, and now what can we do about it? I see that going on here in Tucson, and Sierra Vista, it is a lot smaller, so we can work with our community a lot better.

The problem for the future I think is not going to go away. All the indicators are still here, the family dysfunction, the economic uncertainty, racism, substance abuse, overburdened criminal justice system, and the educational system is more demanding also.

The target of gang activity in our community, and everywhere else, I think, will continue to be youth. Wherever youth works, plays, and learns, they are certainly going to be subjected to some kind of gang activity or violence. I tell people in Sierra Vista do not underestimate the potential danger from street gangs. One bullet can bring serious tragedy to a family and to a community.

As an example, in 1992, a fellow by the name of John Thomas, who was active military, was an Arizona Ranger, a volunteer law enforcement organizations, had worked a bingo game that night, and one of the things they hire out for is to escort money deposits to banks and so on after bingo games at the Lions Club. The Rangers then take the money they earn, and they donate it to services in our community.

He was standing at the back of a bank helping with that deposit, and the gang member around the front was robbing a customer of his money. And John Thomas didn't know that. The gang member saw him when he ran around back and assassinated him, shot him in the head several times. That is when our community got very much involved with the gang problem.

That particular suspect was eventually taken into custody. Four months earlier he had attempted to assassinate a rival gang member in Sierra Vista. That attempt was unsuccessful.

We found in dealing with the problem that the community is afraid of these people, with good reason, the violence, and we have been able to put them in jail through narcotics enforcement and some other strategies.

I feel as a law enforcement officer than penalties for gang-related activities must be levied to the full extent of the law. Removal from the community of the most violent gang members has proven effective in the short term, but it is only a band-aid to the problem.

I feel as a law enforcement officer that our role, one of our roles is continued aggressive suppression tactics. Somebody has to do it. That is our part of the community service.

The resource demand upon law enforcement to respond to gang problems will be significant and may become singularly the most expensive service operation for any law enforcement organization. In 1989, when we had a very serious gang problem and we were learning to control it, we expended our entire year's overtime budget in 60 days to try and beef up our patrols and handle the problem.

Funding, of course, as you have heard today, is a critical issue when these problems arise. In addition to all the family fights, burglaries, and thefts, law enforcement has been forced to deal with the gangs without asking do we want to or not. They have just come upon us. They are very expensive, a very resource-consuming problem to deal with.

Rural America too shares the menaces of increasing violence and street gang activity. Sierra Vista is a good community. You can go there in the mornings and the evenings, and people are out with their families walking. There is also the hidden dark side, and I think every community in this country has those problems.

This increasing phenomenon of violence and street gangs demonstrate important failures of our socioeconomic institutions. The epidemic of violence and street gangs is not only an urban problem, it is a rural problem as well. And I think until some of the ideas are implemented that we have heard today, it just isn't going to go away.

Thank you, Senator, for having me.

[The prepared statement of Mr. Smith follows:]

WRITTEN COPY OF FACTS PREPARED BY SARGENT
GARY L. SMITH, GANG SPECIALIST FOR THE
SIERRA VISTA POLICE DEPARTMENT

OVERVIEW

For the past two decades, some disturbing trends have appeared in our country that make violence and gang activity a concern for many communities. Urban sprawl, population growth, high unemployment, increased family dysfunction, and the declining economy are carrying violence and street gangs out of the inner cities and into smaller urban areas.

The Arizona Department of Public Safety, which acts as the state repository for street gang intelligence, reported 9,010 gang members in Arizona by 1991 (DPS 1991 Report 137). Street gang migration has also extended to Sierra Vista where the Sierra Vista Police Department has identified 125 full-time gang members and about the same number of associate members.

The emergence of street gang activity in Sierra Vista can be traced back to 1987. During the latter part of 1987 the Sierra Vista Police Department began receiving a noticeable increase in calls for service relating to assaults, disturbances, and intimidations at and near Buena High School, the only high school in Sierra Vista. A calls for service report compiled by the Department showed a 50 percent increase in these types of calls compared to 1986. This trend continued into 1992 with reported incidents at or near the high school increasing by 11 percent in 1989, 18 percent in 1990, and 15 percent in 1991.

These incidents shared the common denominators of: Teenagers, proximity to youth gathering places, and lastly, large numbers of participants.

Witnesses and victims at the incidents reported participants wore blue bandannas which suggested the participants were street gang members.

The Sierra Vista Police Department responded by intensifying patrols near the high school and other popular youth gathering places. Liquor violations and weapon violations were strictly enforced, any criminal violations by suspected gang members

resulted in arrest and lastly, any gang member committing a traffic violation received a written citation.

Identification of the gang members was felt to be critical. Officers were issued cameras and encouraged to photograph any suspected gang members and their vehicles. In less than three months, most of the budgeted overtime for the fiscal year was expended and no film budget remained. A Juvenile Enforcement Officer (J.E.O.) position and a Drug Abuse Resistance Education (D.A.R.E.) position were created by the City Council. The resources allocated to the problem were extensive.

The general approach by the Department was two pronged. Besides the above described suppression tactics, gang awareness by the community became important. The Sierra Vista Police Department organized awareness seminars for community groups and for the educational community in particular.

By early 1988 the efforts of the Department began to loose intensity. Many gang members were jailed or had left the community. The increased patrol efforts were reduced, specialized enforcement actions were decreased and in general, there existed a feeling of having completed a successful anti-crime campaign. Few additional resources were committed to street gang enforcement activities.

During the next few years, in response to the suppression tactics of the Department, gang incidents went underground. Colored bandannas were not worn in public and persons no longer admitted membership to gangs. Large fights relocated to the unincorporated areas surrounding the community. Few victims of gang incidents came forward to report crimes. In substance, the problems were successfully moved from public view, but had not been eliminated.

By late 1991, the violence and street gang issues again became an integral part of the Sierra Vista Police Department's agenda. This was made apparent at a city council work session, during which curtailing gangs and violence, was assigned as a long term objective for the Police Department. The community had again become concerned with the increasing number of gang related incidents near Buena High School and other youth gathering places. By the end of 1991 the calls for service near Buena High School

relating to assaults, disturbances, and intimidations had increased 94 percent above the 1988 level.

Gang activity in Sierra Vista during 1992 seemed to have matured into what many people would believe is exclusive to only large cities. During 1992 the community experienced an unprecedented number of gang related shootings and gang member arrests. Gang activity received significant amounts of coverage by the local media as well as the Tucson media. Sierra Vista gang connections were traced to Phoenix, Tucson and most of the surrounding communities of Cochise county. 1992 marked the birth of a community task force organized to battle the street gangs.

In early 1992 Sierra Vista experienced several commercial burglaries in which firearms were the main targets of the incidents. Some persons eventually linked to the crimes were believed to owe drug money to members of the Maryvale Gangster Crips and were intent on using the guns to settle the debts. In one case in which a gun store was broken into, the three teenaged suspects claimed to be arming themselves to do battle against the gangs. None of the suspects felt help would be forthcoming, against the gangs, from their parents, the police or school authorities.

In March of 1992 four Ft. Huachuca soldiers shot a person in a neighborhood in an attempt to assassinate him. This person was a member of the Maryvale Gangster Crips and an alleged narcotic's dealer. This incident sharply increased the violence potential between the existing street gangs in Sierra Vista and tensions were very high. Fate intervened, at least somewhat, and the gang member was killed in early April in a car accident. Emotions remained tense. His associates did attempt to shoot one of the G.I.'s during the summer at an apartment complex.

March also saw the arrest of two Westside Crips from Phoenix for selling crack cocaine at a local motel. A military dependant was also present at the time of arrest. The suspects boasted their gang was going to control the drug trade in Sierra Vista.

It became evident to the Sierra Vista Police Department that a covert narcotic's operation would be the most effective means of trying to control the increasing violence of the street gangs. The operation ended by early summer and resulted in the arrests

of five of the most active and violent gang members. A sixth remains at large and is believed out of the area.

May of 1992 resulted in the indictment of a Maryvale Gangster Crip for his role in a drug related homicide in Tucson. Other Sierra Vista gang members are believed to have some involvement in that homicide. The second indicted suspect, "Diamond", was a Phoenix gang member.

During April the Gang Reduction, Awareness, Prevention & Education(G.R.A.P.E.) task force was formed in hopes of eliciting community involvement to help solve the gang problem. The task force relies on volunteers and is made up of five subcommittees which generate activity through G.R.A.P.E. These committees are fund raising, graffiti abatement, suppression, job's committee and the activity's committee.

A record number of auto thefts plagued the community during 1992. By May a cooperative investigation with the Cochise County Sheriffs Department had revealed a Latin gang, the Varrios Nueve Nostomos(V.N.E.), were involved in many of the thefts. It was believed the vehicles were taken to Mexico and traded for cash or drugs. In November SVPD arrested several members of the Tucson V.N.E. and the Sierra Vista V.N.E. for multiple auto thefts and burglaries in both jurisdictions.

Gang related fights, shootings and increased reports of shots fired calls continued to grow in the first half of 1992. The shooting incidents seemed to peak in July after Arizona Ranger John Thomas was killed by one of the same suspects who had earlier shot the Maryvale Gangster Crip in March. Community reaction was outrage at the court system and shock about the violence.

Trying to keep suspected gang members locked up, the Sierra Vista Police Department began monitoring court appearances of suspected gang members and working closely with prosecutors for stiff sentences and strict release conditions.

The last reported gang related shooting for 1992 was reported August 16th when a vehicle was shot with a shotgun while parked at a residence.

In September a new gang emerged calling themselves the United Front(U.F.), a skinhead group. They were featured on the front page of the local newspaper and claimed a membership of 30 persons. They further claimed they were "two-toned", i.e., non-racist. "U.F." graffiti began appearing in Sierra Vista after the article was published.

A violence conference was held during November in Sierra Vista. The conference sought to bring together community and area leaders to begin formulating strategies that would impact our community's increased violence. The conference was sponsored by G.R.A.P.E. and the F.B.I. The four major areas addressed were violence in schools, violence in the family, violence in our neighborhoods, and the acculturation of violence. The conference received a large amount of media coverage and reaction from the community was very positive.

Five major gangs were identified in the Sierra Vista area during 1992. These were: Maryvale Gangster Crips, Varrios Nueve Nostornos, Santos Del Varrio, Lynch Mob Crips, and the United Front. The MVG was active in narcotic trafficking and was the most violent gang. The VNE was active in auto thefts, narcotic trafficking and graffiti incidents. VNE graffiti was seen in Bisbee, Douglas, and Tombstone.

The estimated number of full-time gang members is 125, with another 125 associate members. This number is the law enforcement estimate of active gang members. Local gang members and community youth have told the Sierra Vista Police Department the number of members is higher than the law enforcement estimate.

1992 GANG ARREST TALLY

The following table depicts the number of gang arrests made by SVPD during 1992(by crime), also noting the number of gang related shootings.

YEAR TO DATE ACTIVITY SUMMARY				
LIQUOR VIOL. ARRESTS 14	DIS. COND. ARRESTS 14	WEAPON VIOL. ARRESTS 10	CURFEW ARRESTS 13	NARCOTICS ARRESTS 10
THEFT RELATED ARRESTS 20	RUNAWAY ARRESTS 2	ASSAULT ARRESTS 9	GANG RELATED SHOOTINGS 10	ROBBERY ARRESTS 2
TRAFFIC VIOL. ARRESTS 5	WARRANT ARRESTS 8	HOMICIDE ARRESTS 1	OTHER ARRESTS 18	**TOTAL ARRESTS 124**

1993 ACTIVITY

Gang related violence in 1993 has continued to plague the community. Thus far five gang related shootings have been reported to law enforcement authorities. A new gang, Criminal High Tower Clique (C.H.T.C.), has been identified and involved in several of the shootings. The United Front Skinheads have become increasingly active and have accounted for at least six gang related violent assaults.

The law enforcement portion of the G.R.A.P.E. Task Force is continuing to improve its networking and now includes most of the law enforcement agencies in the southern portion of the Cochise County.

A May 1993 stolen vehicle arrest of a Sierra Vista V.N.E. gang member, with that of a Tucson gang member, illustrate the continuing collaboration of urban gangs with rural gangs. In 1992 The Sierra Vista Police Department recorded 98 stolen vehicles. This trend is expected to continue into the future.

The Arizona Department of Public Safety and the Cochise County Sheriff's Department have each assigned an officer part-time to work only gang related incidents.

SUMMARY & FUTURE PREDICTIONS

With a strong feeling of certainty, gang problems are predicted to continue through the coming year and into the future as well. The many factors which create the conditions allowing street gangs to flourish still trouble our country and the

community. Some more prominent factors are: family dysfunction, economic uncertainty, racism, substance abuse, an overburdened criminal justice system, and an ever more demanding educational system. Law enforcement has come to realize it cannot resolve gang problems alone. Studies are showing the gang problem is a manifestation of many social ills and any solution will require the cooperation of all facets of a community.

The target of gang activity and violence will continue to be youth. Wherever youth works, plays or learns, they will most certainly be subjected to some kind of gang activity.

The potential danger from street gangs to our community cannot be overestimated. A single ill-aimed bullet can bring instantaneous tragedy to the community. Past experience in large urban areas have shown violence and other criminal activity come with the gangs.

Covert narcotic's operations should be maintained to keep constant pressure on the gangs by law enforcement. Penalties for gang related activities must be levied to the full extent of the law. Removal from the community of the most violent gang members has proven effective in the short-term, and continued suppression tactics **must be maintained.**

The resource demand upon law enforcement to respond to gang problems will be significant and may become singularly the most expensive service operation for any law enforcement organization. Funding to law enforcement agencies is critical in order to continue the vigilance against street gangs.

Rural America,too, shares the menaces of increasing violence and street gang activity. These increasing phenomenon demonstrate important failures of our socioeconomic institutions. The epidemic of violence and street gangs is not only an urban problem, it is a rural problem as well.

Senator DECONCINI. Thank you very much, Mr. Smith. I wish you would please extend our appreciation to Chief Montgomery for having you here, taking you from your duties there. It was very helpful.

Ms. Treadwell-Rubin, we appreciate the County Attorney Steve Neely, as well, having you here as head of the Juvenile Division. You may proceed.

STATEMENT OF PAMELA TREADWELL-RUBIN

Ms. TREADWELL-RUBIN. Thanks. I just finished about a 20-month stint as the supervisor of our juvenile unit at the county attorney's office. We have a self-contained unit at the Juvenile Court Center that is responsible for making decisions about whether children who get referred to the center will be approved for diversionary programs, whether petitions of delinquency or incorrigibility will be filed to actually bring them into court, and also whether transfer petitions to treat them as adults in their prosecutions will be filed, and we prosecute those cases. In addition to that, we deal with adoptions and mental health placements for juveniles out at the center.

I think Judge Collins did an excellent job in providing you with some background about the changes that have occurred at the Juvenile Court Center. I would just like to add a couple of thoughts to that.

I have been at the Juvenile Court Center for a little over 18 months on two separate occasions, about 4 years apart, and during the time that I was away, I was shocked to discover, even in 4 years, how much the situation had changed and how much what kids were facing had changed.

When I first got to juvenile court, never having had any experience out there before, I was pretty surprised to discover that kids as young as 15 were doing things like committing aggravated assaults, robberies. They were victimizing not just people their own ages, but adults as well.

I soon learned, especially in trying to deal with this problem now, that that was probably, 4 years ago, the good old days compared to what we face now. There are more and more kids who are being referred at younger and younger ages. When I was there before, it was very unusual for a child to be referred at the minimum jurisdictional age, which was 8. Now that is happening a lot more frequently, and it is also happening that those kids at that young an age are presenting with very substantial treatment needs, and many more treatment needs than can usually be handled in any kind of out-of-court unit, which is where the youngest kids usually are dealt with as first- or second-time offenders.

We are seeing more and more female offenders, and last year we saw an increase in the number of violent and serious female offenders, which is a very severe problem. Judge Collins gave you an idea that there is currently being looked at whether or not there is a racial disparity and some issues about racial access to certain types of treatment programs. And I am here to tell you that I think there is also a gender-based one as well.

I think that the services that exist for girls in our system right now are currently wholly inadequate, especially to deal with the kinds of violent kids that are coming through the system. And I think that is going to be a severe problem.

The other issue is that we are now seeing second-generation delinquent kids. Kids whose parents were themselves delinquents and had cases in the Juvenile Court Center are now seeing their kids return to that Court Center as well.

We do know that if you have a sibling who has been a delinquent or has received a delinquent referral, that you are more likely to become a delinquent yourself. We don't probably know as much about the effect of that parental delinquency, but certainly it is only one symptom of the problems that we see.

It is very clear, as you have already heard, that there is a significant lack of parental availability to children these days and a lack of parental guidance to children.

We are looking toward other agencies and other service providers to fill that gap, but they can never do the same kind of job as adequately as an actual parent can. There are going to be people involved in a child's life who will serve as surrogate parents and who can have some effective, positive role, and we should all try to expand those types of services. But we do have to look at the nature of our family structure today. It has very definitely changed, and probably not for the better. And now it is affecting certainly the lives of the delinquent kids we see, but I dare say it is affecting lives of kids that maybe are not delinquent but who are on the fringes of trouble, and maybe who even come from what we would consider "good" backgrounds or higher socioeconomic statuses. Those folks are having kids that maybe they can't pay attention to just as well as the lower economic status people are.

We need to be honest about the nature of our problems in every community. We need to recognize that while gangs are a serious problem of violence in our community, they are not the only explanation for why we have violence. They are a lot of other explanations as well. And it is also not true to assume that gangs will never affect my child, never affect my race, never affect my neighborhood. In the past year, we have seen throughout the community that that is absolutely not true. And I dare say folks who thought that they would never see gang activity in their neighborhoods are now seeing it.

So we need to take this issue on as a community and as a neighborhood because those are where the strengths are. That is where the good networking is. That is where the knowledge of individual people is. And I would like to echo Chief Hedtke's comments in that regard.

I think that while there are some Federal things that can be accomplished—and I am going to list a few of those things that I think you can do and play an important role in this—the vast majority of effort to turn this problem around has to come from local resources and local communities. And it doesn't necessarily have to cost a lot of money. It is going to require time. It is going to require volunteerism on the part of the community members, and it does require a lot of mentoring and a lot of skill building, because there are definitely folks who need help in knowing what to do with

their kids and knowing how to build values for them, because they may not have had a good value system themselves to begin with.

So there are a lot of ways that community members can help. There are a lot of ways that we can get involved in mentoring as business people to expand the opportunities for minorities and for youth to become employed. So the more that we can do on a volunteer basis, that will only augment the efforts that we can accomplish through the money that we can raise.

In everything that we do, we need to hold kids above all else. We need to examine every act that we take, whether it is as an individual person or as a government official, and examine what we are doing in terms of its effect on kids and its benefit to kids.

That having been said, I think that there are several things that Federal officials can do that will help local efforts in trying to combat these very serious problems. The first one is to support programs that would give us a risk assessment ability at either prenatal stages or very early childhood stages to determine what families or what births may be at risk for child abuse, and then provide services on an intensive basis to those families to prevent the child abuse potential that they may have, given their risk factors. There has been a program, such as the one that has begun in another community, that has been very successful, and we know that those types of things can work.

I think the other thing that we need to look at is the level of education in this country. We should encourage programs that will educate parents and children side by side. There are some programs already in effect in Tucson that have been very successful to not only encourage parents to get GED's, that don't have them, but also to learn how they can help their children and become more involved in the educational processes of their children. Those programs are very important, not only in terms of increasing self-esteem, but also increasing the economic well-being of that particular family.

The other things that can be attempted are minority and inner-city development incentives, either through the government contractual services that are available or through direct incentives. The other thing that can be attempted is to require a minimum level of youth employment in every government contract that is awarded, similar to what we did for minority business involvement in past years.

We need to make sure that there are adequate funds earmarked for juvenile court programs, and specifically the ones that are desperately in need of funding at the moment, are those that are earmarked for either prevention services or early intervention services. We need to refocus the way that we look at the system and we need to make sure that for the kids there are services that are available that can help them prevent any further recurrence of delinquency and a return to juvenile court sentence.

The final thing that I would add is that there seems to be, when we look at prevention, a very all or nothing approach. We seem to think that we either have to look at prevention in terms of only prevention dollars and not incarceration dollars, or only incarceration dollars and not prevention dollars.

It is very important to find both, and the reason for that is that there is an entire group of people that prevention services have missed in this country, because we haven't focused on doing those kinds of things. And whether we like it or not, a good portion of those folks are dangerous and, when they commit crimes, do need to be incarcerated. We cannot say we will take these dollars from incarceration and put them into prevention. We have to do both at the same time.

I think with those perspectives and a good action plan, there are certainly things that the Federal Government can do to help local communities that are motivated to do better. Tucson is certainly such a community, and I think that we do have advantage in that we are willing to work together and willing to cooperate, and there is a lot we can still do to turn this problem around, once we are honest about it and we know that we need to get involved to resolve those issues.

Thank you.

[The prepared statement of Ms. Treadwell-Rubin follows:]

STATEMENT OF
PAMELA TREADWELL-RUBIN
PIMA COUNTY ATTORNEY'S OFFICE

CHAIRPERSON AND MEMBERS OF THE COMMITTEE:

Thank you for the invitation to address you today. I would like to share with you some of my experiences in the juvenile system, and offer some suggestions on how to act now to reduce the problem of youth violence. I have recently finished my second stint at the Pima County Juvenile Court Center, most recently as the supervisor of the County Attorney's Office unit there. I remember when I first started there, being surprised at the types of crimes kids were committing. What I didn't know then was that those were the "good old days."

During the last year I spent as a trial deputy in juvenile court, approximately four years ago, it was very rare for a youth to be referred at age 8, the minimum age of jurisdiction. It was rare for kids to be charged with homicide, and when it happened, it was one to five times a year. A transfer petition on a 16 year old was also not frequent, and hotly contested when it occurred. Weapons-related offenses among juveniles were rare, and kids did not bring guns to school. We were just beginning to hear about gangs, and becoming concerned about their transplantation into our community.

Last year, it was a very different story indeed. There were many 8 year olds referred, and one had accumulated so many referrals while in out-of-court Diversionary services, that it was necessary to petition to bring him into court, all before his ninth birthday. Two children younger than 8 were involved in an arson fire, causing hundreds of thousands of property damage. The juvenile homcide rate for our County increased 340%, and included potential death penalty cases, and the transfer of a 14 year old girl, the youngest ever here. Transfer requests were made more frequently than ever before, due to the frightening lack of secure juvenile bed space for those really needing to be confined, and a diminishing set of dispositional alternatives in juvenile court. Those alternatives ran out more quickly than before, because kids were referred at younger ages and with more severe treatment problems than juvenile court was ever designed to deal with. Gang-related crime increased exponentially in every neighborhood, among every ethnic group, and put schools at serious risk for the first time, with several shootings on school property. Weapons at school became at least a weekly occurrence.

It is time to admit we have failed--failed our youth and our law-abiding citizens. It is time to demand an honest assessment of the nature and causes of our problems, and act swiftly and extensively to solve them. We have placed the interests of adults above those of children for too many years. We do not do enough to ensure that children can grow and prosper in a safe environment, before they or their families are in crisis. Violence is NOT simply a problem for our youth. At all levels of society, we have become desensitized to violence. We want something for nothing, and we no longer accept responsibility for ourselves. We want someone else--often the government--to fix it for us. Those attitudes are pervasive--not just in dysfunctional families--and are being adopted by our children.

Our office has realized that such problems will not be solved in the courts alone, and they will not be solved without the help of every citizen. There are things we can do, however, to make our futures better.

1) We must act, in all things we do, as though kids are this country's most important resource. Saying so alone will not get it done;

2) We must admit that we are not adequately training our youth for the challenges they will face in the coming century, and that we have failed to provide viable employment alternatives in inner-city neighborhoods;

3) We must recognize that inadequate or absentee parenting is creating entire generations of kids who have no values or counterproductive ones, meaning a much greater treatment burden on those attempting to deal with kids or families in crisis; and

4) We must understand, and demand honesty of decision-makers about, the fact that gangs are a problem of every community, regardless of size or affluence, and every race, including whites, and that they are attractive only when positive structures have failed.

Though many changes are best accomplished at the local level, there are things you can do. Here are a few examples:

1) Support programs that will create ways to screen all families, either prenatally or just after birth, for risk of child abuse, and to provide in-home services, including ongoing parental mentoring, to those most at risk;

2) Increase incentives to those on public assistance to further their education and job training, and limit the length of aid they can receive;

3) Encourage programs that educate parents and children side-by-side. Doing so furthers parental education and station in life, as well as encouraging parental partnership in a child's education;

4) Offer minority business and inner-city development incentives that provide an opportunity for revitalization and viable employment, that neighborhoods can take an ownership interest in;

5) Create a requirement for a minimum level of youth employment in every government contract;

6) Ensure that there are adequate funds earmarked for community prevention and early intervention, of juvenile delinquency; and

7) Continue to fund incarceration at current levels at least, while funding prevention. In the long run, it is much cheaper to fund prevention; however, it is clear that there are still high numbers of dangerous offenders who did not receive prevention services, and who now need to be locked up. It is not a choice <u>between</u> prevention and incarceration, you must do both.

I hope that this information is of use to you as you search for ways to deal with the very serious problem of youth violence. It has been said that man's greatest inhumanity to man is to be indifferent. The problems we have today exist because for too long we have believed that violence was someone else's problem. We have said young people were important, but we have not acted that way. It is not too late if we act quickly and comprehensively. It <u>will</u> be too late very soon if we fail to act.

Senator DECONCINI. Thank you very much, Ms. Rubin.

I have a lot of questions, but our time is a little short today. Let me ask the law enforcement folks, do you have special training needs, which I think is probably yes, and special training programs in existence, when it comes to how your officers are going to work with teenage offenders in the community, gangs, et cetera? It seems to me there's a need for some experience training, but I just don't know how the police departments handle it. Chief, could you give us a little enlightenment?

Chief HEDTKE. Senator, the need to address the awareness of how to deal with the special group here of young people, we certainly understand and we have the problem in dealing with not only youth, but all the other different varieties of special groups that exist in our community, so that service can be directed and can be effective.

We are in the process of continuing to develop a training program for all of our departmental staff that deal with that sense of awareness, not only as it relates to youth, but to elderly and to the various ethnic groups within the community. There has been over time in-service training to deal with the gang issue for all of our personnel, but the reality is that the types of things that need to be done we need substantial amounts of support for, because the time out of staff to be trained and putting programs together is not inexpensive and it is not without cost, both in terms of dollars and in terms of staff time. The needs I think are critical for all of us to understand the specific particularities of any group that we serve, and young people are no exception.

One of the comments that I heard the previous panel make this morning that I thought was quite on target is that we must include the young people in the development of those programs. All too often, we as adults tend to treat a young person as though they are a thing that is there, but they don't have any perception nor perspective about the issues. And nothing could be further from the truth. If they are not part of the resolution to the problem, I don't think the resolution is going to work. The last time I checked with people, when you stuff something down their throat, they usually throw it back at you.

Senator DECONCINI. Thank you.

Mr. Smith?

Mr. SMITH. We don't have any training like that. Quite honestly, we rely on Tucson and Pima County for assistance. We have their officers come down to help train us.

Senator DECONCINI. Sheriff?

Mr. DUPNIK. I think the chief covered the subject pretty well, Senator. The Tucson Police Department, as you may or may not know, is the second police department in the United States to start a school resource officer program back I think in 1961 and has been a pioneer in that area ever since.

One of the things that we are experimenting with ourselves, we have started a pilot program down in Green Valley, because it provides I think a little more optimum laboratory for experimentation, and that is the utilization of volunteers with drug education. We simply do not have enough resources to do the kind of education that needs to be done, and it is our sense that there are a signifi-

cant number of qualified people who are retired and willing to get involved and help us out, if we provide them with the forum to do that. So we are very hopeful that we are going to be able to develop that program in Green Valley and then perhaps elsewhere in the community.

Senator DECONCINI. Thank you.

I want to thank the panelists very much for their helpfulness in the hearings today. Some of those ideas are going to be very, very helpful to the committee. Thank you for being with us.

I notice that a Member of the House of Representatives, Phil Hubbard, is here with us, and there may be other members. If you will identify yourselves, I will be glad to introduce you. Thank you, Representative Hubbard, for joining us and joining us last night, as well.

Our next panel is composed of community organizations and educators. We are very pleased to have Superintendent Garcia from the Tucson Unified School District with us, Alice Ramirez from Sunnyside School District, Roy Cooksey from Martin Luther King Inc., Mr. Noonan from Our Town organization, Enriqueta Romero, from Pima Community College, John Sharpe from Gangbusters, and Rod Mullen from Amity Drug Treatment.

If you would all come forward, we will proceed with your statements. Your full statements will be inserted in the record, as all statements will here. If you can, summarize them for us. It would be helpful as far as time.

Superintendent Garcia, thank you for taking the time from your busy schedule at Tucson Unified School District. You cover such a wide area of great diversity, and we welcome your testimony here and you may proceed to summarize it for us, please.

PANEL CONSISTING OF GEORGE F. GARCIA, SUPERINTENDENT, TUCSON UNIFIED SCHOOL DISTRICT; ALICE RAMIREZ, SUNNYSIDE SCHOOL DISTRICT; ROY COOKSEY, MARTIN LUTHER KING, INC.; DENNIS W. NOONAN, OUR TOWN; ENRIQUETA ROMERO, PIMA COMMUNITY COLLEGE; JOHN SHARPE, GANGBUSTERS; ROD MULLEN, AMITY DRUG TREATMENT; AND DENNIS D. EMBRY, PRESIDENT, HEART SPRING, INC

STATEMENT OF GEORGE F. GARCIA

Mr. GARCIA. Thank you, Senator.

We appreciate having been invited to this very important forum. I am pleased to have the opportunity to present some of my thoughts and observations about violence among young people, particularly as it affects public schools. What occurs in our schools today is often a direct reflection of what we see in society at large.

A lot of the comments of other panelists this morning are right on target. As our communities and our families are changing, so is the impact on our schools. The changing role of the family, the changing values and structures within our society have all had a major impact on how we conduct business in our schools.

In TUSD, the 58th largest district in the country, with approximately 58,000 youngsters, we recognize this fact of change and have taken a series of aggressive pro-active steps to address the issue of youth violence head-on and to prevent it in our schools. We

feel these additional steps have paid off, although it is always difficult to quantify or otherwise assess the results of incidents that do not occur.

My comments today are more specific and directed at the kinds of initiatives that we have undertaken in TUSD, perhaps to give you a model that might be of some use, as you continue your deliberations regarding this critical issue to society.

In 1989, our district formed a violence prevention team of security professionals to help prevent crises that lead to violence and to educate students, parents and staff about school safety techniques. The team is still in existence and it coordinates its efforts very closely with local law enforcement and public safety agencies.

Before coming to Tucson, I was Superintendent in the Kansas City, Missouri School District, and I found in Tucson a great collaborative spirit. Someone in the earlier panel mentioned that the police department in Tucson started the SRO program very early, 20 years ago. That is our school resource officer team.

The violence prevention team in our district works daily with all of the law enforcement agencies and other agencies within the city to try to cooperate and make sure that we can be aware of any changes in our community, even overnight, that may impact or have an effect on school activity at whatever school throughout the district. We have 104 schools in the district.

In November of 1991, TUSD experienced its first and only student shooting on a high school campus. We realized instantly the need to build on our earlier anti-violence efforts, so I called for a citywide task force on community violence in schools, not for the sake of just another committee, but, rather, to bring together the best ideas our community could offer, as we try to address an issue that affects so many of us.

The task force met in many open meetings to discuss every aspect of the problem and to devise concrete workable solutions and also solutions that have to be incorporated within the constraints of our budget. The result of the task force was a series of recommendations to our governing board in August 1992.

I might add that one of the conclusions of the task force was that the problem of violence in schools is not a problem of the schools, it is a problem of the community and it is going to take the entire community to come about in resolving this issue.

Taken together, those recommendations represent one of the most positive results oriented projects TUSD has ever undertaken. New initiatives from the task force include site safety committees at each of our schools, allowing safety techniques and approaches to be customized as needed, so that all 104 schools have school safety committees in which faculty, administration, parents and community members deal with issues of safety in the school and provide a pro-active strategy to deal with those considerations.

Second, our governing board has taken a very strong stance on mandatory expulsion for students found to be carrying weapons. Last year, we had 52 youngsters who were expelled for bringing weapons to school. This year, the number is about the same. We have not concluded with all of the hearings, but we believe that as we send the message that weapons will not be allowed in schools, this will lead to a diminution of that activity.

74-122 O - 94 - 6

A rewriting of the student document explaining the district's policies governing student conduct, titled "Guidelines for Rights and Responsibilities," we believe that youngsters and parents need to know exactly what the expectations are in the school, and we have made a concerted effort to try to educate not only the youngsters, but the parents about their responsibilities, as well as their rights of being a member of our school district. We believe that, over time, this will have a major impact on how students understand what it is that is expected of them in terms of behavior in the school.

We have also established a safety zone program in every school, offering a special phone message number to be used by anyone to report incidents of violence, gang activity or suspected activity, rumors or anything that could lead to violence. In the first year of operation, that has brought a tremendous amount of information to us that has led to intervention and prevention of potential situations.

Fourthly, immediate intervention and investigation of safety zone calls by a well-trained violence prevention team, preventing potential crises at the source. This violence prevention team is mobile, and so it is able to move from school to school, as needed.

Fifthly, an ongoing series of detailed presentations to parents, staff and community groups on school safety and violence prevention. Finally, parents on patrol, an innovative program that involves parents in school safety techniques.

These are some of the immediate steps that we have taken, and this year we found that we had less violent activity or violent acts that occurred within the schools than in prior years. And we believe that as we continue in involving the whole school community, the parents, the teachers, the administration and other support personnel, as well as the community around us, that we will continue to make progress in this arena.

Of course, these initiatives are dealing very specifically with the school environment consideration. I think, as many of the panelists before us, that the long-term solutions have to be more in the arena of education, and we do have within our curriculum, in our instructional programs a variety of things that we have been experimenting with.

The SRO's is one program that I have talked about. The county has been very supportive with our D.A.R.E. Program, which is a Federal initiative. One of the things that we have found most effective is peer mediation. In all of our middle schools and many of our elementary schools and in some of our high schools, we have begun to train students to be peer mediators and to resolve problems that can lead to potential violence within the schools, and that has been very, very effective.

We are also initiating this coming year year-round schools, with five elementary schools and one middle school. We believe that if we use our time over the 12 months more effectively and keep youngsters engaged and have shorter periods of vacation times, where they can be more unsupervised as more families now leave their youngsters at home without supervision, that we may be able to impact on this whole issue of youth violence.

We are also initiating a program called the Fourth R, which has to do with the Fourth R being reading, writing, arithmetic and the Fourth R being readiness for the world of work, and one component of that thrust is community development. We are exploring the possibility of requiring all of our youngsters to do community service before graduating from our high schools. We believe that might also lead to mentoring from community members across the community and might keep our youngsters with more adult supervision and more adult intervention during their experience with the schools.

From the Federal level, Senator, I would continue to urge you to continue to support any funding for early childhood programs. The State of Arizona is very, very backward from the rest of the country in providing financial support for early childhood programs. In Arizona, in TUSD, as most districts in the State of Arizona, there is no all-day kindergarten. We can only provide a half-day kindergarten program. We are way behind the rest of the country in this endeavor, and we also have no programs for preschool initiatives.

Before coming to Arizona, as I mentioned, I was in Missouri, and I would encourage you to look at the Missouri initiative called Parents as Teachers program, in which the State of Missouri has funded this program to begin to intervene with both parents and children at the ages of 3 and 4 years, so the parent begins to learn how to parent the child and the process with school, and this is a program that doesn't end in 1 year, but it continues to support parents and the home and participating in school development.

One of the major villains of what we are dealing with in terms of youth violence is poverty, and unless we can break that cycle of poverty for many of these families, we won't be successful in the long run in preventing violence in our communities.

I should emphasize that every city and school district is different and that violence prevention techniques need to be tailored to individual communities. There is still much to be done. For example, we will see many untapped opportunities for working even more closely with parents on this issue. However, by taking a pro-active uncompromising approach, schools can do much to safeguard their students and pursue their ultimate mission of instruction.

It is obvious to me that school safety is perhaps the number one issue in the minds of parents today. There is evidence everywhere we turn that parents want schools to do more in providing a secure learning environment. As educators, we must respond and adapt to that need with creativity and determination.

Thank you again, Senator, for this opportunity to address the important issue of violence among young people, particularly as it relates to our schools. I hope that our experiences at TUSD provide hope to other urban districts, as they too grapple with the unprecedented challenges of school safety.

Senator DECONCINI. Thank you, Mr. Garcia, for the background of the Tucson Unified School District and also some very innovative programs.

Ms. Ramirez, we are very pleased to have you here.

STATEMENT OF ALICE RAMIREZ

Ms. RAMIREZ. Thank you very much, Senator. It is a pleasure to be here with you today, and I was with you last night. I was sitting right behind you.

Senator DECONCINI. I saw you there. Thank you for being there, as well.

Ms. RAMIREZ. I want to say ditto to about 99 percent of the things that Dr. Garcia stated, we are also doing in our smaller school district of 13,730 students, the Sunnyside School District.

We are very pleased to be able to tell you something today. Because of the need and lack of funding, we are becoming extremely creative in Tucson. We have a partnership. As we speak, we have a summer program going on in two of our high schools, and we call it the summer enrichment program.

Thanks to city dollars, parks and recreation, community agencies assisting us and the help of the Tucson Police Department, we have been able to develop programs for the children, and were it not for the people from the Tucson Police Department and the juvenile court center that assist us in the monitoring of the program, the safety issue would be compromised. So that is a very important piece of the pie.

The agencies provide us at cost or below-cost services, which is another very important component. The prevention dollars the district receives fund specialty areas, and, of course, city parks and recreation provides the athletics and the supervisory staff, so that is one way where we are trying to save us all dollars. But we provide minimum services and really stick our necks out, because we need more assistance. But if it comes, we will welcome it; if not, we will roll up our sleeves and continue to provide the services, because of needs of the kids.

What I want to make reference to today, too, is that in trying to understand why our youth in our school district have been turning to violence, we want to take a closer look at what the enablers are and those enablers are very definitely parental problems, parental neglect, use and abuse of drugs, and with that I include alcohol, because alcohol abuse is a big problem among our Hispanic and Native American population in our school district.

Availability of weapons, which is of concern to our community, our community lives in fear. We had another drive-by yesterday. We have them on a weekly basis in the neighborhoods in my community, which is by the airport. Lack of recognition, lack of empowerment, those feelings that kids have that don't make them feel like they are contributing citizens are something we all need to look very closely at and try to do something about.

Kids are looking to satisfy other human needs, and if they can't find what they seek, they may turn to gangs and violence in order to do so. Common threads I have observed among the youth that are involved in this kind of violent act are anger and frustration or trying to get back at something or somebody.

We need to keep in mind, also, that youth involved in violent crime can also and often do come from affluent families, not just from lower socioeconomic levels. As some newspaper articles witnesses recently, also, we have some kids who come from the Catali-

na Foot Hills, so it doesn't necessarily mean that people from certain parts of town are the only ones involved in crime. And the danger of this is that a lot of kids get a kick or a rush out of doing a criminal at or by holding a weapons, as well. I am sure that our law enforcement people here can elaborate on that issue, because a lot of kids are doing that and it is very frightening.

The mass media I feel must also accept responsibility for negatively influencing our youth. We need to look at the kind of entertainment the kids are watching and listening to. We need to take a look at what impacts on them. In many cases, what can be entertainment to some people can be obsessive to other people, so youth do get impacted a lot by entertainment or the mass media. I do not do it as an attack on the mass media, because I have a daughter who makes her living working at a television locally. I have great respect for what they do well, but I disrespect what they do very, very carelessly.

Drugs also affect our youth seriously. Drugs introduce more confusion, youth may perceive themselves as invincible with no thought to consequences. And if you compound that with the accessibility of weapons, we have what is happening in Tucson now.

I want to share my time today with an agency that to USD and Sunnyside School district are working with in trying to reduce the incidence of violence in the Tucson community, and with that I will introduce and concede my time to Dr. Dennis Embry.

[Ms. Ramirez submitted the following:]

Summary Statement
Alice Ramirez, Prevention Coordinator

Court records document 1550 offenses committed (each offense counted separately). District policy violations total 2028.

Drive-bys and homicides in our part of the community have accelerated. The effects are felt in the total community.

Conditions that contribute to youths's negative involvement: Low Socio-economic level; high minority population with lack of opportunities; high dropout rate; high absenteeism at school, low academic standing, family, community, school and personal enablers. All help create characteristics that may put youth at a disadvantage.

In trying to understand why youth is turning to violence we need to look closer at the enablers. Parental neglect, use/abuse of drugs, availability of weapons, lack of recognition, lack of empowerment. Kids looking to satisfy other human needs, who can't find what they seek, can turn to gangs and violence in order to do so. Common threads are anger and frustration.

Youth involved in violent crime can also come from affluent families if these children's needs are not being met.

The mass media must also accept responsibility for negatively influencing our youth. They must change the type of "entertainment" they offer to our kids.

Drug use affects our youth seriously. It introduces more confusion. Youth may perceive themselves as invincible with no thought to consequences. Compound this with accessibility to weapons and we have what is now being experienced in Tucson.

We must change the conditions in our society that allow dangerous weapons to get into the hands of children. We must all pay attention to the messages our youth communicate. We need more eyes, ears, monitoring and law enforcement to make our community safer and a child-friendly place to live. Schools cannot do it alone.

May 27, 1993

Sen. Dennis DeConcini
2730 East Broadway, #106
Tucson, AZ 85716-5340

Dear Sir:

The following is in response to your letter of May 18, 1993 inviting me to participate in a field hearing on the alarming increase in youth violence. Thank you for your kind invitation. I will welcome the opportunity to share information and present my concerns.

Sunnyside Unified School District No. 12 (K-12 enrollment 13,730) lies within an economically depressed area in Tucson (up to 61% of students on free/reduced lunch) with high Hispanic (74%) and Native American (3%) student counts. Fourteen percent are identified as limited English proficient. Sunnyside School District is experiencing a high drop-out rate (13% in grades 9-12), and high absenteeism (6.6% in grades 6-8, 6.5% in grades 9-12). Among those who stay in school, between nineteen and thirty-three percent of seventh and eighth graders and fifty percent in grades 9 to 12 fail to maintain satisfac-

tory progress toward graduation (ineligibility). As you can see, many of our youth have characteristics that put them at a disadvantage.

As Prevention Coordinator for my school district, I must state that I feel frustration that we see the incidence of youth crime and violence on the increase. On the average, we see about 150 name of young people with Sunnyside area addresses on the monthly court probation lists. The last district suspensions/offense report (for violation of District policies) that I received in my office (for week ending 5-14-93) listed the following year-to-date information: Total of 595 student offenses for physical abuse, assault or threat; 6 offenses for possession and/or use of tobacco; 12 offenses for being under the influence of a controlled substance; 47 offenses for possession of a controlled substance; 11 offenses for sale or transfer of a controlled substance; 80 for profane/abusive language or material; 286 for disruptive behavior; 161 for defiance of authority; 31 for vandalism; 4 for falsification of document; 19 for possession or use of weapons; 23 for theft; 70 gang related; 433 for truancy/tardies; and 235 "other" for a total of 2028 suspensions.

Enclosed you will find copies of supportive data provided to my office from Pima County Juvenile Court. This documentation shows the location of our census tracks and number of arrests (offenses) by type. The total number of offenses of our District's students for the 1992-93 school year was 1,550. Records are kept on numbers of offenses by school.

In our school district we have certainly had our share of youth crime and violence as many newspaper articles and television coverage will attest. Attached you will find copies of stories on just four of the violent crimes we've had to deal with on our campuses. Anytime an incident happens there are repercussions felt in many of our schools. We have had to activate our crisis teams several times this past school year to deal with issues and incidents that have had an effect on the smooth functioning of our schools.

I have lived in this area for 28 years and have never seen the youth violence and crime that we are now witnessing. The recent shooting deaths of three district male students and wounding of several others is of great concern to our district and community.

In order to begin to understand why youth is turning to violence perhaps we need to take a look at the conditions that enable this to happen. We need to acknowledge the family, personal, school and community enablers that have assisted in developing a generation of stressed-out idle young people that, for whatever reasons, were neglected by their parents and are finding their identities in drugs, alcohol, violent movies/entertainment and delinquent gangs. A definite trend towards more serious crime has emerged in recent years with the growing abuse of drugs and availability of weapons! Research says that most youth who commit crimes of violence are seeking attention from a parent or a significant person or person. People who feel isolated and without support of others, especially their parents, seek recognition through violence. Human beings today have the same needs, we've always had, only, in the case of criminal youth, the people are just not there to provide it. Kids have the same needs, yet we have whole families that are pulled apart by economics, distance, death, divorce, etc. There does not seem to be a role model present that will guide them, talk/mentor them and give them structure and recognition. Some youth often find security through their peers, this often means the fraternity of a gang, where the way to become accepted is to become involved in sometimes violent crime. The common threads we see in the violence of our youth are guns, anger and frustration.

Children that act out these disruptive behaviors also may come from our more affluent neighborhoods and heads of households. They can come from parents of any income. Wealthier kids that are disturbed by their

circumstances can become inwardly destructive because of demands they feel are placed on them for achievement/accomplishment. When we see hard-working, dual-career parents we may be dealing with absentee parenting with high levels of expectations. If these children feel their parents do not accept their failure they may skip school, develop temper tantrums and all of the other signs of stress. A way they may react to not having their distress recognized is violent behavior.

When the mass media become the role models for kids they often find entertainment that depicts violence. Youth are desensitized to the consequences of violence by the graphic presentations in movies and can also be greatly influenced by the matter-of-fact presentation of wars and violence on television. The fascination of our youth by movies about gangs' lifestyles and the killing and mutilations should be of concern to all of us. We need to enlist the aid of the movie makers to tone down this type of "entertainment". What is only "scary" entertainment for one person can become obsessive for another.

Drug use among our kids, mainly alcohol, also introduces more confusion for youth. When under the influence, they may perceive themselves as invincible with no thought to consequences for their violent acts. Compound this with accessibility to guns and we have a community with a serious problem. Tucson is now beginning to feel the effects of the syndrome.

We need to look at a society, a community and parents that allow dangerous weapons to get into the hands of children. People need to be sensitive to the signs of impending violence and will take action to do whatever they can to stop it.

Youth often communicate their intent to commit a violent act by verbal expression or other outward demonstrations in hopes that someone cares enough to stop them. We need more ears "listening", more eyes "seeing" the children, because if everybody ignores them, they will continue the violence and none of us will be safe. Law enforcement cannot do it alone. School districts cannot do it alone. It will take all of us doing our part in order to stop the violence and keep the peace!

Yours truly,

Alice Ramírez

Alice Ramírez
Prevention Coordinator
Sunnyside Unified School District #12

cc: Dr. Ernest Fimbres, Superintendent
Mrs. Lydia Baker, Assistant Superintendent, Secondary Curriculum & Instruction

Suspect in schoolboy's slaying meets with police, is arrested

Man, 18, is charged with murder

By Carmen Duarte
The Arizona Daily Star

Police arrested an 18-year-old man yesterday in the drive-by shooting of a southside boy after the suspect met police at an eastside fast-food restaurant.

Michael Wuerbright, 18, and a 13-year-old friend died homicide Detective Ken Thomsen in the afternoon at the McDonald's restaurant, 5400 E. Golf Links Road, to talk, said homicide Sgt. Charles Armijo of the Tucson Police Department.

Both teens showed up and talked over orange sodas with Thomsen inside the restaurant.

The meeting was set up through the 13-year-old friend, who was one of four people in the car when the shooting occurred, police said. They refused to elaborate on how they traced the friend.

Shortly after the meeting, Wuerbright was taken into custody in the parking lot of the shopping center where the restaurant is located, and brought to the eastside police substation for questioning, authorities said.

Wuerbright, of the 5900 block of South Little Nogales Drive, refused

See ARREST, Page 3A

Dwight Sanders, The Arizona Daily Star

Michael Wuerbright is escorted from eastside police substation to a police car for transfer to jail

• Prosecutors seek to extradite man in 1992 shooting at Kennedy Park. Page 1B.

Arrest

Continued from Page One

to speak further to detectives. He then was taken to the Pima County Jail, where he was booked on the first-degree murder charge. He was being held without bond last night.

The investigation is continuing. No other arrests have been made in what police said was a gang-related killing.

Detectives said they were led to Wuerbright after talking to witnesses about the slaying of 13-year-old Michael Charles Contreras in the 100 block of West Nebraska Street.

Michael was shot once in the chest at 11:10 a.m. Thursday while walking home from Apollo Middle School, 101 W. Nebraska St. He died nearly 45 minutes later at University Medical Center.

His grandfather, Frank Chavez, 63, said yesterday after learning about the arrest of Wuerbright: "I was a little relieved. But the other three in the vehicle need free. I want them all in jail. That gang violence has to stop.

"Those killings are happening too, too often. And they are all innocent," Chavez said.

Michael left school Thursday morning because he was feeling sick and, police said, that while he was waiting home alone, he was confronted by Wuerbright.

He (Wuerbright) saw him walking by himself and then decided to reveal him," said Armijo. "Usually there is a gang activity which means to challenge or confront."

Armijo would not say what happened between Wuerbright and Michael, but he did say that there was "no indication that there was any response" from Michael to Wuerbright during the challenge.

"Wuerbright pointed him (Michael) once and then turned the revolver to (Mason) around and went back and shot him," said Armijo. He said it is not known whether Wuerbright and Michael knew each other.

Less than two hours later, Wuerbright (Mason) was arrested on West Santa Paula Street and South Mission Road. Detectives also searched the apartments at 100 W. Valencia Road. Authorities would not say if any evidence was found at the apartments.

Armijo did say a handgun, believed to be the weapon used in the killing, was found, but he would not elaborate as to where it was found.

Meanwhile, a busload and carloads of Apollo pupils and teachers went to Frank and Alice Chavez's home yesterday to express their condolences over the loss of their grandson.

"It truly is hard. Michael was our baby. We helped raise him the best from the time he was born. All we can do is have faith," he said.

Donations can be made to the Michael Contreras Fund at Pima International Bank, 1 of Arizona, 4341 W. Valencia Road, to help pay for the funeral costs.

Viewing of the body will be on Monday beginning at 1:30 p.m. at the Chavez family home, 5360 S. Alamo Drive. The rosary will be said at 6 p.m. and a vigil will follow continuously on Tuesday.

The Roman Mass will be at 9:30 a.m. Tuesday at Mission San Xavier del Bac, and burial will follow at the adjacent cemetery.

Wuerbright and Christopher M. Medina, Tucson Police Chief Elaine Medina's son, were charged in an incident about two weeks ago involving reports of gunshots fired at a central Tucson apartment complex.

On Jan. 26, Medina was charged with curfew violations, and Wuerbright was charged with contributing to the delinquency of a minor.

Brian Ernest D. Kelley, 19, was also charged with contributing to the delinquency of a minor and with discharging a firearm within city limits.

BEST COPY AVAILABLE

Teen shot in neck, 2nd held in graduation-party gunfire

By Hipolito R. Corella
The Arizona Daily Star

A 17-year-old boy was shot in the neck early yesterday morning during a high school graduation party that erupted in gunfire on the city's southside, police said.

A 16-year-old boy was arrested in connection with the gang-related shooting, said Detective Jeff Moore, of the Tucson Police Department.

After Teion Joseph was shot, police said, several others pulled out guns and fired a volley of shots in the 200 block of West Santa Louisa Street. No one else in the crowd of about 200 youths was struck.

Joseph, of the 6300 block of South Van Buren Avenue, was shot about 1 a.m. while arguing with a group of about eight rival gang members at the party outside the home, police said.

Joseph, who uses the street name "T-Dog," was struck once in the neck by a bullet fired from a semi-automatic pistol, police said. The bullet exited through his neck near his spine.

The first officers who arrived at the scene said they found several youths with handguns running down the sidewalks.

Joseph was in good condition last night after surgery at a local hospital, a hospital spokeswoman said. Investigators asked that the hospital not be identified because they fear rival gang members would seek him out.

Alex Lawrence Encinas, 16, of the 600 block of West Elvira Street, was arrested about an hour after the shooting, Moore said. Encinas, who uses the street name "June Bug," was being held on charges of aggravated assault and one count of gang threats and intimidation at the Pima County Juvenile Court Center, police said.

Although Encinas is a juvenile, he is being identified by The Arizona Daily Star because of the seriousness of the charges.

Moore said the argument between the gangs involved an earlier confrontation at graduation ceremonies at Desert View High School, 4101 E. Valencia Road.

Happened on May 21, 1993
early hours

BEST COPY AVAILABLE

THE ARIZONA DAILY STAR
Wed / March 3, 1993

18-year-old held in shooting that hurt youth, 12

Boy wounded outside home in Feb. 19 drive-by incident

By Carmen Duarte
The Arizona Daily Star

Police arrested an 18-year-old man last night in the drive-by shooting of a 12-year-old boy nearly two weeks ago, police said.

Damian Maadros, of the 700 block of West Holladay Street, was arrested at 6 p.m. at his home after warrants were served by members of the Special Weapons and Tactics team, said Sgt. Ernie Smith of the Tucson Police Department.

Maadros was arrested by gang unit Detectives Chris Cuentas and Ron Thomson. He was questioned about the Feb. 19 drive-by shooting on the city's southside of main police headquarters, 270 S. Stone Ave., before being booked into the Pima County Jail last night.

An Apollo Middle School pupil was shot in the hand and forearm at 10 p.m. in the 300 block of West Canada Street. The boy, whose identification is being withheld by The Arizona Daily Star for his protection, was treated at University Medical Center and released three days after the shooting.

Maadros was charged with one count of aggravated assault, endangerment and unlawful possession of marijuana, said Thomson. Maadros was being held without bond last night, and is scheduled for an initial court appearance today.

Police also searched Maadros' home and his mother's house, in the 5800 block of South Morris Boulevard. Investigators seized an ounce of marijuana, clothing and notebooks. Detectives said no one at the addresses was involved in the drive-by shooting.

Detectives are still searching for two other people, the weapon and the car used in the drive-by shooting, said Thomson. The car was described as a white or yellow compact, possibly a four-door Nissan or Toyota sedan.

The boy was shot while standing near a gate that leads to the driveway of his home. The shooting occurred about two blocks from where Michael Governale, 13, was shot Feb. 11. Governale, also an Apollo pupil, died at UMC 45 minutes after the drive-by shooting.

Michael J. Woolbright, 18, was arrested on Feb. 12 and charged with first-degree murder in Governale's slaying. Woolbright is being held in the Pima County Jail on $1 million bond.

Four students from the Sunnyside Unified School District have been shot in less than one year. Three of those students — Governale, and Oscar Leon and Johnny Valenzuela, both 16, have died.

BEST COPY AVAILABLE

05/24/93 Number of offenses, by offense type (see below), for each school.

SCHOOL	OFFENSE GROUP
Apollo Jr High	1
COUNT 40	
Apollo Jr High	2
COUNT 83	
Apollo Jr High	3
COUNT 21	
Apollo Jr High	4
COUNT 14	
Apollo Jr High	5
COUNT 29	
Apollo Jr High	6
COUNT 55	
Apollo Jr High	
Apollo Jr High TOTAL	
COUNT 242	

SCHOOL	OFFENSE GROUP
Craycroft Elementary	1
COUNT 1	
Craycroft Elementary	2
COUNT 3	
Craycroft Elementary	5
COUNT 6	
Craycroft Elementary	
Craycroft Elementary TOTAL	
COUNT 10	

SCHOOL	OFFENSE GROUP
Chaparral Jr High	1
COUNT 38	
Chaparral Jr High	2
COUNT 72	
Chaparral Jr High	3
COUNT 10	
Chaparral Jr High	4
COUNT 20	
Chaparral Jr High	5
COUNT 39	
Chaparral Jr High	6
COUNT 65	
Chaparral Jr High	
Chaparral Jr High TOTAL	
COUNT 252	

Offense: 1=persons, 2=property, 3=drugs, 4=technical, 5=peace, 6=status

05/24/93 Number of offenses, by offense type (see below), for each school:

SCHOOL	OFFENSE GROUP
Desert View	1
COUNT 38	
Desert View	2
COUNT 104	
Desert View	3
COUNT 18	
Desert View	4
COUNT 47	
Desert View	5
COUNT 53	
Desert View	6
COUNT 83	
Desert View	
Desert View TOTAL	
COUNT 343	

SCHOOL	OFFENSE GROUP
Drexel Elementary	1
COUNT 1	
Drexel Elementary	2
COUNT 2	
Drexel Elementary	5
COUNT 3	
Drexel Elementary	
Drexel Elementary TOTAL	
COUNT 6	

SCHOOL	OFFENSE GROUP
Elvira Elementary	1
COUNT 1	
Elvira Elementary	2
COUNT 6	
Elvira Elementary	3
COUNT 1	
Elvira Elementary	5
COUNT 2	
Elvira Elementary	6
COUNT 1	
Elvira Elementary	
Elvira Elementary TOTAL	
COUNT 11	

Offense: 1=persons, 2=property, 3=drugs, 4=technical, 5=peace, 6=status

05/24/93 Number of offenses, by offense type (see below), for each school,

SCHOOL	OFFENSE GROUP
Esperanza	2
COUNT 3	
Esperanza	
Esperanza TOTAL	
COUNT 3	

SCHOOL	OFFENSE GROUP
Gallego Elementary	2
COUNT 1	
Gallego Elementary	
Gallego Elementary TOTAL	
COUNT 1	

SCHOOL	OFFENSE GROUP
Liberty Elementary	1
COUNT 2	
Liberty Elementary	2
COUNT 6	
Liberty Elementary	3
COUNT 1	
Liberty Elementary	5
COUNT 3	
Liberty Elementary	
Liberty Elementary TOTAL	
COUNT 12	

SCHOOL	OFFENSE GROUP
Los Amigos	1
COUNT 2	
Los Amigos	2
COUNT 4	
Los Amigos	5
COUNT 2	
Los Amigos	
Los Amigos TOTAL	
COUNT 8	

SCHOOL	OFFENSE GROUP
Los Ninos Elementary	2
COUNT 14	
Los Ninos Elementary	
Los Ninos Elementary TOTAL	
COUNT 14	

Offense: 1=persons, 2=property, 3=drugs, 4=technical, 5=peace, 6=status

05/24/93 Number of offenses, by offense type (see below), for each school.

SCHOOL	OFFENSE GROUP
Los Ranchitos	1
COUNT 3	
Los Ranchitos	2
COUNT 3	
Los Ranchitos	3
COUNT 1	
Los Ranchitos	5
COUNT 1	
Los Ranchitos	6
COUNT 1	
Los Ranchitos	
Los Ranchitos TOTAL	
COUNT 9	

SCHOOL	OFFENSE GROUP
Mission Manor	1
COUNT 1	
Mission Manor	2
COUNT 7	
Mission Manor	5
COUNT 3	
Mission Manor	6
COUNT 1	
Mission Manor	
Mission Manor TOTAL	
COUNT 12	

SCHOOL	OFFENSE GROUP
Ocotillo Elementary	1
COUNT 1	
Ocotillo Elementary	
Ocotillo Elementary TOTAL	
COUNT 1	

SCHOOL	OFFENSE GROUP
Santa Clara Elementary	1
COUNT 1	
Santa Clara Elementary	2
COUNT 4	
Santa Clara Elementary	
Santa Clara Elementary TOTAL	
COUNT 5	

Offense: 1=persons, 2=property, 3=drugs, 4=technical, 5=peace, 6=status

05/24/93 Number of offenses, by offense type (see below), for each school.

SCHOOL	OFFENSE GROUP
98 Sierra Middle School	1
COUNT 24	
98 Sierra Middle School	2
COUNT 43	
98 Sierra Middle School	3
COUNT 10	
98 Sierra Middle School	4
COUNT 11	
98 Sierra Middle School	5
COUNT 17	
98 Sierra Middle School	6
COUNT 49	
98 Sierra Middle School	
98 Sierra Middle School TOTAL	
COUNT 154	

SCHOOL	OFFENSE GROUP
Sunnyside Middle School	1
COUNT 2	
Sunnyside Middle School	2
COUNT 3	
Sunnyside Middle School	3
COUNT 2	
Sunnyside Middle School	5
COUNT 1	
Sunnyside Middle School	6
COUNT 2	
Sunnyside Middle School	
Sunnyside Middle School TOTAL	
COUNT 10	

SCHOOL	OFFENSE GROUP
Sunnyside Freshman	1
COUNT 1	
Sunnyside Freshman	2
COUNT 3	
Sunnyside Freshman	3
COUNT 1	
Sunnyside Freshman	
Sunnyside Freshman TOTAL	
COUNT 5	

Offense: 1=personal, 2=property, 3=drugs, 4=technical, 5=peace, 6=status

05/24/93 Number of offenses, by offense type (see below), for each school.

SCHOOL	OFFENSE GROUP
Sunnyside High School	1
COUNT 45	
Sunnyside High School	2
COUNT 133	
Sunnyside High School	3
COUNT 29	
Sunnyside High School	4
COUNT 42	
Sunnyside High School	5
COUNT 65	
Sunnyside High School	6
COUNT 127	
Sunnyside High School	
Sunnyside High School TOTAL	
COUNT 431	

SCHOOL	OFFENSE GROUP
Sunnyside Alternative	2
COUNT 5	
Sunnyside Alternative	3
COUNT 1	
Sunnyside Alternative	4
COUNT 3	
Sunnyside Alternative	5
COUNT 2	
Sunnyside Alternative	
Sunnyside Alternative TOTAL	
COUNT 11	

SCHOOL	OFFENSE GROUP
Special Services	1
COUNT 3	
Special Services	2
COUNT 2	
Special Services	4
COUNT 3	
Special Services	5
COUNT 2	
Special Services	
Special Services TOTAL	
COUNT 10	

Offense: 1=persons, 2=property, 3=drugs, 4=technical, 5=peace, 6=status

THE TUCSON CITIZEN
Oct. 15, 1992 Thursday

e Jurors who saw Antonio Redondo last year predicted he'd be back in court.

By RHONDA BODFIELD-MANDEVILLE
Citizen Staff Writer

Antonio Redondo, arrested in the shooting death of a local high school student on Tuesday, was like a bomb waiting to explode, said two men who sat on a jury in which Redondo was a state witness.

Redondo, 18, is being held in Pima County Jail on $1 million bond on a first-degree murder charge in the shooting death of Desert View High School student Oscar Loza, 16. Redondo also is being held on $2,500 bond for an unrelated charge of failure to appear on a warrant for carrying a concealed weapon.

Loza was shot in his school parking lot around 2:30 p.m. Tuesday and died an hour later at Tucson Medical Center.

According to the two men, who

SUSPECT, continued 2A

Suspect chills jurors as shooting case witness

Continued from 1A

served on a jury in the July 1991 case against a California gang murderer accused of attempting to murder a Circle K clerk, Redondo was offered immunity to testify against then suspect Juan Deabla.

"It was obvious from the start that he (Redondo) was the person responsible for the entire event. He was the one that should have been on trial," said a 40-year-old mechanic, who feared retaliation and requested anonymity.

"I made the comment more than once during that trial that I had a terrible feeling this person was going to be back in court again for a serious offense soon," he said.

The trial resulted in a hung jury, with only one saying the suspect was guilty.

While police say Redondo has a prior arrest record, they have refused to release specific information about it.

According to jurors, Ba'cuado testified that he met Deabla and another young man and that the three of them went to steal beer at the convenience store near South Tucson Boulevard and East 17th Street. When a clerk chased them out of the store, a volley of five shots blew out store windows. The clerk was uninjured.

Both jurors said they were dismayed when Redondo was caught in a lie on the witness stand when he said he saw Deabla with the gun.

"The prosecution was real mad and asked him if he was admitting he had the gun, and he just sneered at them," said the other juror, a 36-year-old truck driver. "You could just look at him and tell he didn't care about anybody or anything, period."

While police said Redondo has gang affiliations, they have not released a motive in the case nor have they said whether Loza was a gang member.

And while school acquaintances of Loza's insist he was not in a gang and was quiet and shy, a childhood friend said yesterday that she knew he was a member of Barrio Centro.

"I've known him since junior high, and he was always throwing hand signs. He was down with it hard," the 17-year-old friend said.

Flashing hand signs is a way to communicate with other gangs and often an invitation for a confrontation, said Sgt. Sixto Molina, who heads the Tucson Police Department's gang unit.

A student who said she transferred out of Desert View because of gang violence said her life was threatened because of colors she wore or because of whom she talked to.

"They would come up to me and say, 'You'd better watch it. We're going to cap you' and say things like 'Red is dead, it stands for death,'" she said.

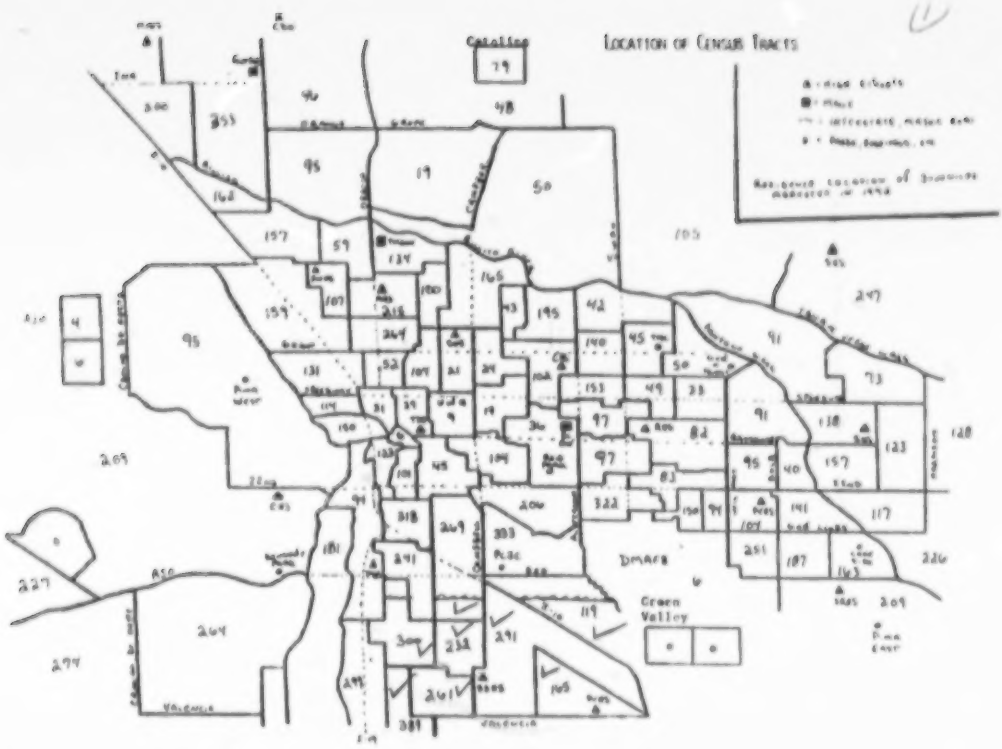
Her mother said she had to take back a gift of red Nike shoes she had given her daughter because of threats her child had received.

"It got to the point where it was really ridiculous. She couldn't wear blue or black or red, and it was almost like she was restricted to wearing white all the time," she said.

171

166

BEST COPY AVAILABLE



BEST COPY AVAILABLE

STATEMENT OF DENNIS EMBRY

Mr. EMBRY. Thank you, Alicia.

I am here just basically to present to you, Senator, a blueprint for a private-public partnership to help improve and reduce violence in our community. And the fact that I am here with the school districts reflects something of an emerging partnership. That partnership and the plan emerged from something that you know well.

During operation Desert Storm, this community basically came together and set in motion a national plan to help meet the unique needs of military families, and out of that came a blueprint which was presented to your committee in Washington. And what we are doing presently in Tucson is enacting those ideas used very successfully for the military families to help our entire community. There are several written submissions today with that. One of them is from InterGroup Health Care and from Desert Hills, which will be entered in the record, detailing how those public-private partnerships can, in fact, bring substantial more money to the table, additional resources from what we currently have.

The second item is from Heart Springs, which details how those partnerships are put together, and, very specifically, how those partnerships work on the issues raised by Sheriff Dupnik and by Chief Hedtke, because our business community bears substantial responsibility and interest in helping solve some of those problems.

I would like to thank Alicia for the 60 seconds or so to bring that to your attention.

[Mr. Embry submitted the following:]

United States Senate Judiciary Committee,
Subcommittee on Juvenile Justice

Hearings on Youth Violence

June 2, 1993

Pueblo High School
Tucson, Arizona

"How to increase the peace in the whole community"

Testimony by:

Dennis D. Embry, Ph.D. (Licensed Psychologist)
President
Heartsprings, Inc.
P.O. Box 12158
Tucson, AZ 85732

Phone: (602) 322-9977
FAX: (602) 299-6822

Quotation or use of the material is permitted after submission to the committee.

The witness gratefully acknowledges the contributions of Tucson children and youth, the participating schools and families of *I Help Build Peace* and the sponsors of coalition to increase the peace in Pima County, Arizona and Bryan, Texas

Contents

Page

Section 1: An Outline for Action to Increase the Peace 1

Move beyond worsening trends in America 1

Begin early 1

Committee Options 2

Encourage community-wide, positive interventions 2

Committee Options 4

Promote the integration of prevention, intervention and suppression of violent crime across education, media, health, law enforcement and justice 5

Committee Options 5

Section 2: A Practical Demonstration of Action in Tucson, AZ & Bryan, TX 6

Begin Early 6

Encourage community-wide, positive interventions 6

Promote the integration of prevention, intervention and suppression of violent crime across education, media, health, law enforcement and justice 7

Section 3: Research Basis for Recommendations 9

Increasing protective factors 9

Technology of behavior change 13

Self-Modeling/Virtual Reality 13

Marketing and private-public partnerships for a positive America 16

Committee Options 19

Section 4: Appendices 20

References 20

Samples 25

Summary

This testimony recommends the following to the Committee as a course of action to increase the peace all across America:

- Begin early—*Adult or young adult involvement with violent crime can be reasonably predicted by behavior in the first to third grade. The most promising interventions seem to be in the early grades, followed by related interventions designed to help maintain the behavior over time during middle school and high school.*
- Encourage community-wide, positive interventions—*Both extensive research and common sense conclude that a positive approach to increasing the peace (positive skills, promoted across the community) than mostly negative approach focused on so-called high-risk youth in "bad" neighborhoods.*
- Promote the integration of prevention, intervention and suppression of violent crime across education, media, health, law enforcement and justice—*Again, both common sense and very extensive research show that much greater success will be achieved if the messages and techniques are integrated across diverse settings and people.*

The paragraphs below offer concrete suggestions to the Committee on how those principles might be activated, drawing on the lessons from major demonstration of a community-wide approach supported by a private-public partnership in Tucson, Arizona and Bryan, Texas.

- ✓ The Committee might request the Attorney General to develop technical support to for creating positive, community-wide plans for "increasing the peace" in this country.
- ✓ The Committee might recommend to the Senate to amend the Tax Code to provide special federal tax credits to businesses for using their advertising money to promote and community-wide, prosocial media modeling and programs that increase cooperative behavior among children, youth and families.
- ✓ The Committee might draft legislation to enable funding of a national campaign to increase the use of the social skills that reduce violence at home, schools and the community.
- ✓ The Committee might recommend that changes occur in the FCC regulations to allow purchased, prosocial advertisements to count as part of a station's obligation for an FCC license. (Presently only programming counts, even though there is clear evidence that commercials have very significant impact on child behavior). Such a change might rapidly shift the media modeling diet of our children.
- ✓ The Committee might empower the Attorney General to purchase mass media locally and nationally in cooperation with the private sector to air messages that model prosocial choices and options.
- ✓ The Committee might direct its staff and request the Attorney General to investigate the possibility of legislation or tax credits for putting special signs, cues or directions on products that foster prosocial interaction among children, youth and families. Such a concept to be extended to include directions on what to do if the product tends to increase anti-social behavior (as has been found with certain games, toys and videos)—the equivalent of recommendations for first-aid for accidental ingestion of a poison.
- ✓ The Committee might recommend that changes occur in the FCC regulations and cable TV legislation to require special set-asides for prosocial programming and or "infomericals" that model positive skills as the country moves toward interactive media, in which the current market trends would suggest that anti-social content would become more common.
- ✓ The Committee might recommend clarification of the tax codes so that funding by the private sector of projects and campaigns of 501(3)(c) organizations for pro-social modeling and education do not become taxable income for the tax exempt if advertising consideration is provided to the private sector—as has happened in a number of countries. A negative tax ruling would seriously undermine private sector involvement in private-public partnerships.

BEST COPY AVAILABLE

What do young people say needs to be done about the increasing level of violence?

"Listen to us."

"Be fair."

"Reward good things we do."

"Show respect to us."

"Start earlier, well before fifth grade—maybe at kindergarten."

"Encourage kids to think through things rather than tell them."

"Involve our parents better."

"Give our parents better ideas for what to do."

"Expect kids to be good instead of bad."

These are the words of young people—from focus groups, discussion panels, and surveys of youth in Pima County and inner city Los Angeles. Their recommendations merit close attention. Their word echo what is know about the scientific study of increasing positive behavior of children and youth. The question is how to implement their common-sense suggestions and the proven wisdom of scientific studies. This testimony indicates how, drawing on the practical experience and research—linking the testimony to specific suggestions for action by the Judiciary Committee.

Section 1: An Outline for Action

This next section details options for the Committee to act on to increase the peace. The options draw on extensive research and demonstration projects.

Move past another count of the steadily worsening trends in America

The Committee and Subcommittee will no doubt hear volumes of testimony about the scale and rapid increase of youth-related violence all over America. What the committee needs is not more detail on the terrifying numbers of increasing youth violence; what the committee needs are some positive suggestions that can be promoted to make a difference—now and in the future, things that can be done without adding yet larger burdens to our stretched taxes.

Begin early

Take a group of 100 young adults who have been arrested for committing serious violent crimes. When could you have reasonably predicted that they were headed for bad trouble? At age 14? Age 12? Age 10? Age 8? Age 5?

Scientific studies say somewhere between ages 5 and 8, we can predict with about 65% accuracy based on aggressive behavior at school whether a kid will go on to commit violent crime. And the studies showing the very best results for preventing involvement with violent crime are interventions beginning during the preschool years. Waiting until a young person has committed a serious offense during adolescence to do something is going to be much more expensive and less assured of success.

Committee Options:

- ✓ Alter the drug seizure laws to require greater funding of early, community-wide prevention programs instead of day-to-day justice operations from RICO moneys.
- ✓ Alter community-assistance grants to emphasize early prevention on a community-wide basis.
- ✓ Encourage federal prosecutors to stipulate that adults with minor children convicted of violent crime participate in appropriate parent-education activities as a part of sentencing or probation since the research clearly shows that having one or more parents who are convicted of a violent crime stacks the odds heavily against a child.
- ✓ Make all U.S. Federal justice settings "Child-Youth Friendly" in waiting areas so that positive parent-child interaction is encouraged, since adult-to-child praise is a key predictor of the emergence of anti-social behavior. Signs and other devices that cue adults to praise prosocial child behavior improve those interactions.
- ✓ Expand the concept of "victim rights" at a federal level to include the children of adults convicted of violent crime so that such children are treated for potential separation anxiety and post-traumatic reactions, since such interventions would lessen the probability of the "victimized" child maturing to commit similar crimes when older.

Encourage community-wide, positive interventions

The FBI reports that juvenile violent crime is up 27%—across all groups, neighborhoods, etc. If we continue to treat violence as "only" a problem in "those neighborhoods," then we increase the problem rather than decrease it for several reasons:

- Stigmatizing—Long-term studies now convincingly show that making prevention programs only for the "bad people" makes the problem worse by accelerating the sense of rejection and limited opportunity from the rest of society.
- Avoidance—Marketing studies show that people will avoid participating in any program that is seen to be a negative.
- High Mobility—At-risk youth and families have a high rates of mobility, moving across neighborhood and community boundaries which means that people will miss much of the targeted intervention.
- Poor Marketing—This "negative model" means that the power of effective mass marketing cannot be properly used, so that fewer individuals will participate.

The probability that a violence prevention program will succeed can be expressed in this simple formula:

Program Component	Estimate	Example
Power of Intervention (How much of the percentage of problem does the specific plan address? 10%? 40%? 80%?)	_____ %	85% Power
Impact of the Intervention (What percentage of the target group will change as a result of the intervention? 10%? 40%? 80%?)	X _____ %	85% Power X 65% Impact = 55% (P x I)
Rate of Participation (What percentage of the target population actually do the program? 10%? 40%? 80%?)	X _____ %	55% (P x I) X 75% Rate = 41% (P x I x R)
Generalization Rate (What percentage of the target group stay changed over a longer period? 10%? 40%? 80%?)	X _____ %	41% (P x I x R) X 82% G = 33% (P x I x R x G)
Likely Prevention Effect	= _____ %	= 33%

This prevention formula can be worked for a neighborhood, community, a state or the country. What one can quickly see is that additions or subtraction's in the effectiveness in any given part of the formula has a powerful multiplying effect.[1]

A community-wide, positive approach tends to increase the "Likely Prevention Effect" for a number of reasons:

- Power of Intervention—A positive, community-wide approach means that more of the target behaviors can be effectively addressed instead of just the behavior to be avoided. Almost all the behavior change studies show that it is not sufficient to eliminate the negative to solve the social problem.

- Impact of the Intervention—A positive approach dramatically increases the chances of being rewarded and praised for behavior change, something several decades of research and easily a $100 million dollars has proven to be more effective in homes, schools and the workplace. A negative approach tends to result in higher rates of scolding, nagging and confrontation—all of which decrease the probability of behavior change.

- Rate of Participation—A positive, community-wide approach means that more people will be reached—particularly those individuals who are more mobile and at risk. More people will voluntarily participate because of the desirable social status attached to the program (the association effect, people want to be associated with high status activities than low status activities).

[1] The formula can be made much more sophisticated than the one depicted. The formula described is a powerful tool as is, and prevention efforts will be greatly enhanced when it is used more widely.

- Generalization Rate—A positive, community-wide approach assures that many more cues, social supports and prompts will occur across the whole community to help maintain the behavior change.

The essence of this logic has been amply demonstrated since the W.W.II rationing efforts and in many major studies since.

Committee Options:

✓ The Committee might request the Attorney General to develop technical support to for creating positive, community-wide plans for "increasing the peace" in this country.

✓ The Committee might recommend to the Senate to amend the Tax Code to provide special federal tax credits to businesses for using their advertising money to promote and community-wide, prosocial media modeling and programs that increase cooperative behavior among children, youth and families.

✓ The Committee might draft legislation to enable funding of a national campaign to increase the use of the social skills that reduce violence at home, schools and the community.

Promote the integration of prevention, intervention and suppression of violent crime across education, media, health, law enforcement and justice

Integration of strategies across prevention, intervention and suppression of violent behavior make a great deal of sense—both from a position of common sense and proven research. Consider just a few examples.

- If the educational systems find better ways to reduce aggression, hostility, assaults and weapons possession at school, then many fewer demands will be placed on law enforcement and justice.

- If media related violence is reduced, there will be clear reductions in aggressive and violent behavior by youth.

- If law enforcement and justice discover better ways to facilitate the transition of youth back to success in the everyday world, then the burden on educational systems will be reduced.

- If media, law enforcement, justice and schools succeed in reducing violence, then there will be huge cost savings in the health-care side. Those savings are direct from reductions in injuries as well as from reductions in chronic illness (which can be tightly linked to ongoing or serious exposure to violence).

How can this integration be achieved? An analogy may help. Imagine if supermarkets had different labels and logos for all the common products purchased. Chaos would rule. Profits would decline. People would fight. Customers would be very unhappy. Such is the situation presently. Every symbol that cues collective, cooperative action is different. There are no common cues or logos for positive action. There are no "nutrition labels" to tell us anything about how to improve our human relationships. Another analogy will help, too. Green traffic lights always indicate when to "go"; red lights always indicate when to "stop."

We can create instructions, labels, logos and "traffic" lights to foster the behaviors to reduce violence in this country across all of the major settings of life. Here are some examples:

- Offering specific choices—The federal government has presently spent millions of dollars in grants to universities and other organizations to prove that choices offered in almost every arena of everyday behavior increase cooperation and reduce hostility, even major violence. A child offered a choice of punishments for bad behavior at school will learn good behavior much faster, and the same is true at home. Any person (child or adult) will comply better with medical procedures if given some choice over even minor components of the procedure (e.g., "would you like the shot in your left arm or your right?"). Jailed youth or psychiatric patients comply far better with instructions when offered choices, and their behavior improves more rapidly. Parallel to this finding is that studies have found that gang members are much more likely to exit a gang if a police officer directs a youth to choose to participate in one of several specific actions instead of a general "shape up or suffer the consequences" demand.

  A community-wide, positive approach can develop and market unifying strategies and examples to improve the offering of choices. Such behavior is easy to record, praise and evaluate.

- Rewarding cooperative, helpful behaviors—All effective management strategies (TQM, Passion for Excellence, etc.) and therapies for behavior change agree on the importance of rewarding positive behaviors. Studies on reducing anti-social behavior among children and youth categorically emphasize this principle. Thus, across all settings that children and young people use must reward prosocial behaviors on a regular and frequent basis. This needs to happen in homes, in classrooms, in the media and elsewhere. Court services are far more effective probation staff reward the positive behavior of convicted youth. Medical patients are much more likely to follow through with treatment if rewarded.

- Modeling desired behaviors and choices in media and materials—Positive behavior change is far more likely to occur if people (children, youth, families, teachers) regularly see and witness models of the target behaviors in the media, particularly if positive consequences are attached to the story about the media models. Advertisers know this about products—show people using the product often and getting benefits from it. This seems to be less well known among organizations charged with prevention, who tend focus on depicting the bad behavior and the negative consequences attached to it. An example would be the frequent TV ads about the horrors of child abuse, compared to the fact that there are virtually no ads (let alone TV shows) depicting ways to have a happy, loving life with a child—except by calling a psychiatric hospital right now. Again, extensive marketing research and behavior change research shows that positive models can and do result in significant changes in everyday behavior.

Committee Options: ✓ The Committee might recommend that changes occur in the FCC regulations to allow purchased, prosocial advertisements to count as part of a station's obligation for an FCC license. (Presently only programming counts, even though there is clear evidence that commercials have very significant impact on child behavior). Such a change might rapidly shift the media modeling diet of our children.

- ✓ The Committee might empower the Attorney General to purchase mass media locally and nationally in cooperation with the private sector to air messages that model prosocial choices and options.

- ✓ The Committee might direct its staff and request the Attorney General to investigate the possibility of legislation or tax credits for putting special signs, cues or directions on products that foster prosocial interaction among children, youth and families. Such a concept to be extended to include directions on what to do if the product tends to increase anti-social behavior (as has been found with certain games, toys and videos)—the equivalent of recommendations for first-aid for accidental ingestion of a poison.

Section 2: A Practical Demonstration of Action

This section describes specific illustrations of what is being done in Tucson, Arizona and Bryan, Texas (and it is hoped, Los Angeles) in a real way that illustrates the principles outlined in Section 1.

Begin Early

Beginning in November of 1992, a coalition of private corporations (using their advertising budgets) and non-profit organizations launched a program for all Pima County, Arizona elementary school youth to increase the peace and reduce the risk of violent behavior at schools and home. Through area schools and other organizations, every kindergartner through fifth-grader could receive a free 48-page special story/workbook (in English or Spanish) to use at home and school. Supporting materials were made available to area school staff.

The same program was launched in April of 1993 in Bryan, Texas by the private sector there (again in coalition with non-profit agencies) after a fatal stabbing at lunch in a school cafeteria while school was in session.

Discussions have been occurring for over a year in Los Angeles about offering a similar program.

Encourage community-wide, positive interventions

The efforts in Tucson, Arizona and Bryan, Texas are community-wide. Every child and family may get a program without cost. The community-wide intervention models, cues and rewards four basic skills among K-5 year old children (and the adults who care for them) involved in social competence and violence prevention:

- Praising prosocial behavior in others
- Reducing the use of put-downs
- Noticing and speaking up about hurts caused by self to others
- Using wise adults as mentors

These four skills represent the antithesis of what the literature on anti-social behavior describes as the "cycle of coercion" (e.g., Patterson, DeBarshey and Ramsey, 1989). Consider these examples.

Praise has been systematically shown to increase desirable behavior at home, at school and work. Praise is the interpersonal tool whereby individuals increase the probability of positive behavior by others. In dysfunctional systems, interventions that restore balance typically increase the rate of praise directed toward system members.

Put-downs constitute a variety of belittling, negative statements directed toward others. Such statements elicit aggressive behavior from the recipient, which could be viewed as a form of punishment designed to remove an aversive stimulus.

Noticing and speaking up about harm caused to others emerges from the interpersonal research on relationships. Individuals who deny harming another tend to elicit aggressive responses from their victims over time, or create social distance the undermines social support.

Seeking a wise person emerges from a variety of studies on social networks and mentoring, among both adults and children. Such mentors "balance" and guide prosocial actions.

The demonstration program running in Tucson, Arizona and Bryan, Texas was explicitly designed to address the four parameters of the formula introduced in Section 2.

- Power of Intervention—The program targets key behaviors to be increased and decreases, all of which have a clear documentation of support from the scientific literature.

- Impact of the Intervention—Both prior studies on which this program is based and qualitative analysis of the intervention in progress show that the approach can generate substantial gains in positive behavior as well as major reductions in undesirable behavior.

- Rate of Participation—The program was designed to incorporate known strategies to boost participation from the inception. Data from Tucson revealed several barriers to the intent, many of which have been addressed in the Bryan, Texas replication. Where schools fully embraced the children as the leaders of the behavior change process (as was intended), major reports of positive effect occur for both school and home.

- Generalization Rate—The positive nature of the project has resulted in the newspaper, TV and informal media (school bulletin boards, displays, signs in waiting areas) to adopt components of the program to promote. A middle-school project will be launched in the fall of 1993 to foster the maintenance of behaviors among elementary school youth transitioning to middle schools/junior highs

Promote the integration of prevention, intervention and suppression of violent crime across education, media, health, law enforcement and justice

The integration of program is happening at a number of levels, echoing the suggestions of Section 1.

- Offering specific choices—All of the materials—from the books for kids and families, to the teacher's newsletters, to the TV ads, to the newspaper comics—show very

specific options for people to choose to increase the peace. The options are linked conceptually and organizationally to maximize effect.

- Rewarding cooperative, helpful behaviors—Both intrinsic and extrinsic rewards have been built directly into the program. For example, pages in the story/workbook actually cue praise from adults in the family. Various interventions modeled in the story/workbooks and other materials set up situations in which children and the adults who care for them will received social recognition for positive behavior. Prizes for completing the program (Pizza in Tucson; Tacos in Bryan, Texas; and a trip to Disneyland/Disneyworld) add glitz to the initial marketing of the program to young people—which becomes less important as they find satisfaction with the positive effects of the program in their everyday lives. The efforts for rewards are being expanded to teachers and school staff who participate in the program.

- Modeling desired behaviors and choices in media and materials—Various models of positive behavior to copy are being presented in the mass media both in Tucson and Bryan, Texas. The models are concrete and specific. In Tucson, they were/are also interactive—allowing viewers to phone or write in their own ideas, which were then published in the Sunday newspaper.

The integration is now moving to other levels in Tucson, which are designed to be replicated in other cities.

- Middle-school community-wide program—A special comic is being readied for distribution in the fall of 1993, primarily supported by the private sector.

- Middle-school intensive program—An integrated, cooperative project that links teachers, school staff, counselors, police, agencies and probation. The project focuses on three main skills:

  I Give and Get Respect,
  I Keep the Peace,
  I Protect Myself.

  The aim of the project is to assure that younger adolescents develop and maintain the core social skills that have been shown to reduce involvement with juvenile authorities and/or to reduce the probability of recidivism. Additionally, the skills are designed to interface with mental-health treatment—again to reduce relapse rates and increase therapeutic effectiveness.

- Community-wide praise signs—These signs cue adults to praise cooperative behavior of children and youth in public settings, a mechanism of encouraging generalization of the core skills being taught in the books and media.

- A comprehensive health project for middle schools—In cooperation with the University Medical Center, the University of Arizona College of Medicine and Nursing, Intergroup HMO, School Districts, Desert Hills Center for Youth and Families, and the State Department of Education, a project is being planned to integrate the core concepts into a health-promotion initiative.

- A parenting intervention for parents of newborns—Based on research used during a project developed for the Department of Defense during Desert Storm, a special intervention kit is being designed for use by the parents of newborns to boost their skills in "reading" the behaviors of infant using a specially modified version of

protocols from the Brazelton Neonatal Assessment Scale. These procedures have been shown to reduce pediatric utilization and child abuse reports during the first two years of life.

- Training protocols for Teachers, Police, Counselors and Probation—The first state-wide in service training to integrate violence prevention skills across these groups will be held in September of 1993, sponsored by the Arizona Psychological Association. This training is planned to be expanded over time.

Section 3: Research Basis for Recommendations

This section summarizes some of the research supporting the recommendations made in this testimony. The nature of the recommendations emerges from the work on "protective factors" or resiliency that enable a child or family to have a better chance of succeeding even in difficult circumstances.

Increasing protective factors

The table below describes "Pathways to Resiliency—a set of skills and conditions that provide children with a "vaccine" against emotional hardship in life, enabling children to learn the skills that build confidence, a sense of personal worth, and the ability to bounce back after difficulty. The table represents the conceptual approach for what is targeted for Tucson, Arizona.

Pathways to Resiliency Table

Path or Intervention	Reference	Tucson Adaptation
✓ Saturation advertising	*Black, 1986*	Public-private partnership that shows practical problem-solving in the media for children, youth and families; community-based signs and prompting cues
✓ Parenting skills for drug abusing parents	*DeMarsh & Kempfer, 1986*	All treatment centers and therapists screen and refer for specialized parenting intervention.
✓ Wide-spread parent-skill building	*Tremblay et al., 1990; Pentz et al., 1989; Patterson et al., 1989; Shedler & Block, 1990*	Problem-specific, developmentally appropriate interventions available through schools, agencies, doctors and even mass market outlets such as grocery stores and malls that are integrated with more intensive parenting interventions.
✓ Provide community-wide interventions for school-home problems	Swantic, 1986; Anesko, 1987; Green, 1989	Special printed interventions and media interventions that teacher parents and children how to do homework effectively; how to have a successful parent-teacher conference; how to behave successfully at school

✓	Social support and neighborhood networking	Gaudin, Wodarski, Arkinson, & Avery, 1990-91; Telleen, Herzog, & Kilbane, 1989	Proactive action tie-ins with Neighborhood Watch, materials for churches, PTOs, community volunteers and organizations; phone/letter tree tied together with problem-specific interventions
✓	Reduce family conflict	Wilson & Hornstein, 1985	Model practical solutions in the media and community-wide interventions to specific situations that increase family conflict—for example how to deal with a bad report card, balance the checkbook
✓	Increase parent-child closeness or bonding	Brook et al., 1980; Hirshi, 1969	Teaching parents of newborns to use Brazelton Neonatal Assessment; developmentally modified infant newsletter in community; developmental record for parents and health-care providers; Güdesguides (special volunteer coaches for behavior clinics in malls)
✓	Reduce early anti-social behavior in preschool and elementary years	Shedler & Block, 1990; Loeber & Dishion, 1983	Distribute proven special school interventions for all teachers, counselors and agencies working with younger children
✓	Increase social competence and anger management beginning in preschool years all through high-school	Gittelman et al., 1985; Lochman, 1988; Ketchel & Bieger, 189	Distribute proven interventions, developmentally adapted, to children throughout their maturation so that social competence is universally improved; tie-in prevention programs with more acute intervention

✓	Increase academic achievement	Hundleby & Mercer, 1987; Blechman et al., 1981	Distribute special school-home note system to teachers & counselors;
			Develop homework teaching tips for parents and families;
			Develop behavior management and school climate improvement programs based on research;
			Distribution of self-efficacy modeling interventions for use by teachers to improve initial learning of students and attention
			County-wide intervention to improve transitions from preschool to elementary, elementary to middle and middle to high school
			County-wide program of incentives for children's academic improvement and success
			County-wide program to promote self-control and self-direction by children and youth
			Use of advanced technology to promote mentoring by business people of children and youth
✓	Increase positive-peer acceptance	Coie, 1990; Cairns et al., 1988	County-wide interventions to reduce teasing, insults and put-downs
			Interventions to improve modeling of peer acceptance among adults in the community—teachers at schools, leaders in the media
			Peer led resistance skills training and interventions couple with social competence skills
			Create opportunities for positive social interaction.

✓	Increase culturally appropriate metaphors and bicultural competence skills in all interventions	Schinke, Botvin, et al., 1988; Matthews, 1990.	English and Spanish versions of materials Demand type-printing for special materials that integrate stories from one culture with stories from another culture Programmed linkages in social-studies curriculum to identify similarities in approaches across cultures Inclusion of appropriate models of diversity
✓	Reduce anxiety and depression	Kazdin, 1989; Block, Gjerde and Block, 1991; Kendall, Howard & Epps, 1988	Model school-wide models of cognitive behavioral coping techniques Offer cognitive maps
✓	Teach children how to avoid victimization by others	Lang & Kahn, 1989	Training package on how to avoid being teased or assaulted and other acts of victimization
✓	Increase attention to task and reduce hyperactivity	Henker & Whalen, 1989	Classroom based-interventions to increase self-control and self-monitoring
✓	Increase effective transitions		Distribute modeling interventions before start of each new year
✓	Increase connections to and skills to increase responsiveness from society	Tobler, 1986	Create opportunities for young people to develop, produce and market goods and services related to prevention—e.g., student designed t-shirts, buttons, neighborhood employment Phone-tree access designed for young people
✓	Increase availability of afterschool programs for elementary and middle school youth.	Thompson, 1987	Create public-private partnership to operate such programs in school facilities, which can be funded by a combination of fees, Chapter 1, and DES money.

✓	Improve organizational climate	Gottfredson, 1986, 1988	Rewards and recognition for small innovations that improve learning and climate by teachers County-wide newsletter to teachers and counselors on proven tips to improve academic performance Use of adoption money to fund teacher-based design of program components Mass media campaign honoring teachers Organizational development interventions for schools
✓	Reduce unemployment and expand employment base of better jobs.	McLoyd, 1989; Dooley and Catalano, 1980	Use funds from Chapter 1, Drug Free Schools and other federal sources to buy and develop from Pima County sources, then turn around and help market those materials to other communities. Several million dollars could be infused annually to our economy, plus improve local education conditions; create a special development fund to market locally developed innovations to other communities.

Technology of behavior change

The overall approach being recommended represents a synthesis of lessons learned from public health, community psychology, clinical psychology, education, organizational management, medicine and biology, and marketing. Such a synthesis is necessary to assure success, and makes a great deal of common sense.

Self-Modeling/Virtual Reality

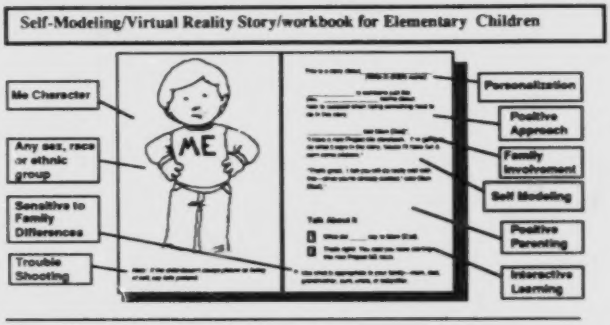
Perhaps the most visible part of this approach are the story/workbooks, since every participating child/youth or family receives one along with supporting interventions for the mass media. The approach of both hinges on a concept called self-modeling (the reader, listener or viewer becomes the prime actor). Another way of explaining the concept is that of "virtual reality"—a media in which the participant becomes the hero of the story.

Please note that the approach also relies heavily on the use of story rather than just telling people what do. The story, self-modeling and community-based rewards for behavior change make the core intervention much more powerful than the standard information sheet or instructions commonly given out by helping agencies. The principles the lie underneath this concept are the result of fifty or more independent investigators who have variously received millions of dollars of federal funding. The technology approach represents a technology transfer back to the people

who funded the basic ideas, the taxpayer. The next several paragraphs detail background on the approach for the reader who may be unfamiliar with the core ideas.

The story/workbooks use the technology proven in Program Project previously funded by the Department of Education (#G0083002) to study problem-specific approaches to parent training in clinical settings.

A facsimile page of such a problem-specific, story/workbook appears below.



The efficacy of the storybook intervention in changing the behavior of children and parents has been systematically validated scientifically, and the ability of the technology to change the behavior of high-risk and low-risk families has been documented as has the ability of the technology to gain large rates of participation (50% or better of families in the community)—(Anesko, 1987; Embry, 1981, 1982, 1984, 1987, 1990, 1991; Peters and Embry, 1985; Christophersen and Gyuley, 1979; Clark, Greene, Macrae, McNees and Davis, 1977; Fisher and Tomery, 1976; Green, 1989; Greenwald, 1985; Lenkowsky, Barowsky, Dayboch and Puccio, 1987; Jakibchuk and Smeriglio, 1976; Kelley, Schilmoeller and Goetz, 1978; Newhouse, 1987; Pearson, 1987; Pardeck, 1990; Peed, Roberts and Forehand, 1977; Swantic, 1986; Zebrowitz-McArthur and Eisen, 1976). The self-control teaching elements of the materials are likewise based on extensive federally sponsored research (e.g., Jones and Haney, 1984; Kazdin, 1980) and can have a profound positive effect on parent-child interaction and academic achievement (e.g., McCarl, Svobodny and Beare, 1991).

The use of the techniques in the Story/workbooks has dramatic effects on receptive language skills, auditory memory and reading achievement (e.g., Wedel and Fowler, 1984; Embry, 1980). The Story/workbooks use techniques from the acclaimed Reading Recovery program developed in New Zealand, where the Story/workbook concept has been utilized nationally in all early childhood settings for use by volunteers, parents and others. When adults (parents or caregivers) use the Story/workbooks, their actions like those taught in Reading Recovery are automatically cued.

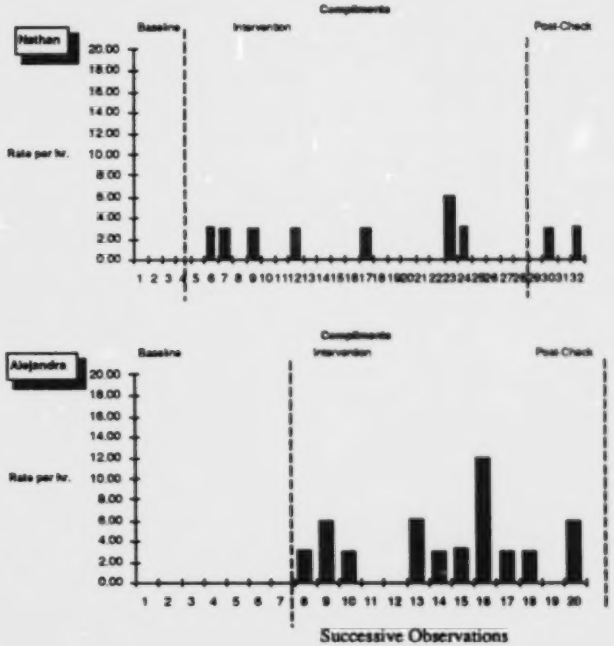
The design of the Story/workbooks™ combines the proven techniques from research on self-modeling, self-control, stimulus control, cognitive-behavioral psychology, family-systems therapy and instructional design. These books are unlike other books or brochures produced and

BEST COPY AVAILABLE

distributed to date commercially, as can be clearly seen by examining their design, structure and content:

- Personalization: The story's hero/heroine is the child being taught and all support and family members in the story are the child's real-life family. The teaching thus becomes self-modeling for the child and his/her family.
- Androgynous and Generalized Drawings: The illustrations enhance the child's identity as the hero/heroine of the story—regardless of sex or race.
- Modeling and Family Involvement: The story involves other members of the family.
- Stimulus Control: A system of relevant cues is established for performance of the new behavior.
- Interactive Learning: The child is coached to take action, including making the story his/her own .
- Troubleshooting "Helper" Component: Certain parts of the materials address the "yes...buts" and establish motivational techniques for the family system (siblings, etc.)
- Generalization Components: Makes material in the books and related materials useful across settings, time, people and related behaviors.

This Story/workbook model has been tested with high-risk, clinic-referred families whose interactions were negative and coercive under the auspices of a program project grant from the U.S. Department of Education grant, Project LIFE (Living in Family Environments) that ran from 1983 through 1987. The design of the Story/workbooks™ was based on experimental research on social skills training and imitation by children, because of the target skills identified for children. Since high risk parents were the people using the original test versions of Story/workbooks™, the design of the books also used proven principles from instructional technology with adults with educational impairments—(because parents from high risk settings typically have academic difficulties). *The results of the Project LIFE studies showed that the children did learn the target behaviors as did their parents.* For example, Diacon, Embry, & Baer, 1987 specifically set out to teach children to compliment their caregivers for positive actions. The effectiveness of the intervention can be seen in data from two children whose rate of compliments (one of the behavioral targets of the *I help build peace* program) went up, as demonstrated in a time-series (multiple-baseline) design.



Marketing and private-public partnerships for a positive America

What is different about the strategy is the level of integration and systems thinking, precisely the issues that are required if one is going to create a whole society in which children and their families are more resilient. A approach also sets the stage for a new economic base for child development.

A program that is replaceable and effective to improve child, family and community resiliency must be capable of being diffused and disseminated throughout the country if not the world. Diffusion and dissemination requires money. Typically speaking, most human service or educational innovations have been created by grant money—either from government or private sources. A grant can be perceived of in two ways: (1) as principle that is used up, or (2) as venture capital that creates an ongoing, viable economic entity. In all but a few cases, grants have been used in the first manner—with the idea that well-meaning people would innovate and

hope (or pray) for ongoing funds from yet other grants or public sources to sustain the innovation. In the 1960s, such things were possible. In the 1990s, they are not.

If a program to promote child, family and community resiliency is to succeed in a broad way, it must create a new financial structure to sustain and expand. That means dealing with fiscal realities and looking for alternative sources of funding. To most people the public sector, that means asking for donations from private corporations. That strategy has merit in many cases, yet there are limits that publicly held corporations can legitimately donate money for the public good when they must face reduced corporate earnings or need to invest in their own infrastructure to remain competitive.

Corporations have no *theoretical* limits in investing money in child, family and community resiliency to the extent that their investment offers a good rate of return compared to alternative investments. Such returns on their investments are not just for the common good, but clearly defined, measurable economic benefit for them. Accordingly, a comprehensive plan to increase resiliency must include essentially a win-win configuration for private (and public-sector) sponsors. Such an approach might include effective advertising and marketing benefits accrued from participation, new licensed products or services.

There are some precedents for such an approach. The most obvious is *Sesame Street*—which is fundamentally a public-private partnership between Children's Television Workshop and Jim Hensen Associates, Inc. Licensed products and services help maintain the public good provided by *Sesame Street*. Another precedent is Channel 1 and other activities by Whittle Communications—a for profit company. Some smaller scale approaches are worthy of note, too—such as the coupon/activity books for children developed by Unique Concepts International and distributed through supermarket chains.

A combination of all of those approaches is what is most intriguing. The *Sesame Street* is exceptionally powerful and effective because of the nonprofit arm of the joint-venture (which it is not often thought of in that way) and its clearly proven educational value. The *Sesame Street* model has one main programmatic and one major business liability. Pro grammatically, *Sesame Street* is focused on children—not parents and child—a factor that ultimately limits its ability to fulfill the promise with which it was begun. A business liability relates to the programmatic issue: *Sesame Street* has appeal mostly to preschool age children, which limits the breadth of its licensed products and related services. Mickey Mouse, by contrast, appeals to just about everybody, including adults. The efforts of Whittle Communications suffer from a lack of grounding in educational effectiveness, though the marketing savvy around the product is clearly advanced when compared to *Sesame Street*. If the Whittle materials and programs were tested rigorously, they would be unlikely to have significant impact on children's resiliency or educational attainment. Since their main purpose is marketing, not educational, such a finding would come as no great surprise. The item to note is that advertisers are willing to pays sums of $150,000 per commercial aired for Channel 1, and sign multi-year contracts. Such sums can easily support a national child resiliency program.

By combining the Sesame Street public-private partnership model, the licensed character possibilities, the high-tech advertising of Whittle Communications, this approach with a proven parent-children training interventions, it is theoretically possible to create a self-sustaining child, family and community resiliency intervention—which diffuses universally in the culture, thereby making a structural, systemic shift in our educational system and community.

The private-public partnership emerging in Tucson is a hint of what is possible. Recall that almost $250,000 of cash and in-kind services have been recruited largely from the private sector.

That is a remarkable event. Other testimony submitted to the committee discusses the whys and hows of this partnership.

Our desire to change often dwells on problems—the problem with crime, the problem with child abuse, the problem our educational system. Most efforts to change at an individual or group level focus on solving problems and those solutions typically fail because the underlying structural factors "pull" solution efforts back to a homeostatic balance (see the best-selling management theory book, the *Fifth Discipline* by Peter Senge). When the solution oriented efforts fail, both individuals and groups tend to fall into anger, resentment, disillusionment, depression and even rage. That is much of the situation that we find ourselves today, which is manifested in very real terms in depressed consumer confidence and behavior that has measurable roots in individual depression and anxiety. Sociology recapitulates psychology.

How then to create system change? To create resiliency and community? Real change begins with a clear, positive vision of the future—of how life can be. A clear vision of "where we want to be" enables us begin to read where we are. A clear vision begins to free our creative capacity for change, both at an individual and group level.

Visions leading to systemic change are fundamental and life-affirming, enabling people to weather short-term setbacks and to learn from a temporary failure. Such visions enable people to go beyond being a victim of circumstance to being a creator of the present and future. Such visions often begin with clear words or deeds.

Rosa Parks sat in the front of the bus, a Black young girl in Topeka decided she wanted a good education, a preacher had a dream that all Black children would be free.

A small man in humble clothes walked to the sea for some salt in India, three men penned the Declaration of Independence, a man from Ukraine had a different vision of the Soviet state.

These are the visions that we see at a large scale. There are millions of visions that we do not see, yet are touched by. Vision begins with...

- an active approach toward solving life's problems
- a tendency to perceive their experiences constructively
- the ability to gain others' positive attention
- the ability to maintain a positive vision of a meaningful life

These skills are the precise foundations for reducing violence in America, and are the skills that form the foundation of the plan outlined to the committee.

The context for individual, positive vision can be structured by creating the vision of resiliency for the community. When that vision takes place, many individual parts (strategies, organizations, personal actions) come together to form the organic whole that shifts the underlying structure—enabling systemic change to flow down a path of least resistance (see the *Path of Least Resistance* by Robert Fritz, a colleague of Peter Senge). Such an idea is not new, thought it is often forgotten. It can be seen in the work of some of the very early social scientists of change—Kurt Lewin. It can be seen in the philosophical and self-help literature of the previous century in America—e.g., Ralph Waldo Emerson in his essay on self-reliance. The earliest writings of the Renaissance herald such understanding in the work of Pic de Mirandela in 1400. Even the very roots of Western thinking illustrate the concept when the Prophet Isaiah says, "Without a vision, the people will fail."

Systemic change begins with vision, often spurred by the pain of the present. With the vision comes the careful awareness of the present state, the ideas, the tools the capacity to make the creative leaps into the future.

We can increase the peace.

Committee Options: ✓ The Committee might recommend that changes occur in the FCC regulations and cable TV legislation to require special set-asides for prosocial programming and or "infomericals" that model positive skills as the country moves toward interactive media, in which the current market trends would suggest that anti-social content would become more common.

✓ The Committee might recommend clarification of the tax codes so that funding by the private sector of projects and campaigns of 501(3)(c) organizations for pro-social modeling and education do not become taxable income for the tax exempt if advertising consideration is provided to the private sector—as has happened in a number of countries. A negative tax ruling would seriously undermine private sector involvement in private-public partnerships.

Section 4: Appendices

References

Anesko, K. M. (1987). A comparison of minimal contact bibliotherapy and brief parent training for the management of children's homework problems. *Dissertation Abstracts International, 48(2-B),* 577.

Azrin, N. and Foxx, L. (1974). *Toilet training in less than a day.* New York: Simon and Schuster.

Black, G.S. (1989). *The attitudinal basis of drug use—1987 and chagnning attitudes toward drug use—1988: Reports from media advertising for a Drug-Free America, Inc.* Rochester, NY: Gordon S. Black.

Blechman, E.A., Taylor, C.J., & Schrader, S.M. (1981). Family problem sovling versus home notes as early intervention with high-risk children. *Journal of Consulting and Clinical Psychology, 49,* 919-926.

Brook, J.S., Lukoff, I.F., & Whiteman, M. (1980). Initiation into adolescent marijuana use. *Journal of Genetic Psychology, 137,* 133-142.

Cairns, R.B., Cairns, B.D., Neckerman, H.J., Gest, S.D., & Gairepy, J.L. (1988). Social networks and aggressive behavior: Peer support or peer rejection. *Developmental Psychology, 24,* 815-823.

Christophersen, E. and Gyuley, E. (1979). *Using a written protocol to change parents' use of child car restraints.* Pediatric Research, 13, 331.

Clark, H.,Greene, D., Macrae, J., McNees, M. and Davis, J. (1977) Using an advice package for family shopping trips: Development and evaluation. *Journal of Applied Behavior Analysis,* 10, 605-624.

Coie, J.D. (1990). Towards a theory of peer rejection. In S.R. Asher & J.D. Coie (Eds.), *Peer rejection in childhood* (pp. 265-398). New York: Cambridge University Press.

Connor, T., Sclare, I., Dunbar, D., Elliffe, J. (1985). Making a life story book. *Adoption and Fostering, 9,* 32-35, 46.

DeMarsh, J., & Kumpfer, K.L. (1986). Family-oriented interventions for the prevention of chemical dependency in children and adolescents. In S. Griswold-Ezekoye, K.L. Kumpfer, &W.J. Bukoski (Eds.), *Childhood and chemical abuse: Prevention and intervention* (pp. 117-151). New York: Haworth.

Dooley, D. and Catalano, R. (1980). Economic change as a cause of behavioral disorder. *Psychological Bulletin, 87,* 358- 390.

Dowick, P. and Raeburn, J.M. (1977) Video editing and medication to produce a therapeutic self-model. *Journal of Consulting and Clinical Psychology,* 45, 1156-1158.

Edwards, P.A., Simpson, L. (1986). Bibliotherapy: A Strategy for Communication between Parents and Their Children. *Journal of Reading, 30,* 110-18.

Embry, D.D. (1980). Can storybooks really change children's behavior: A research report. In J. Lutzker (Chair), Children's storybooks as mediators of behavior change. Symposium presented at the annual meeting of the Association for Behavior Analysis, Dearborn, Michigan, May.

Embry, D.D. and Loebig, R. and Baer, D.M. (1978). *Appealing to the preschooler's eye and ear: An analysis of multiple effects of storybook illustrations.* (ECI Document 122). Lawrence, KS. Early Childhood Research Institute.

Embry, D.D. and Malfetti, J.M. (1981). *Reducing the risk of pedestrian accidents to preschoolers by parent training and symbolic modeling for children: An experimental analysis in the natural environment.* Falls Church, VA: AAA Foundation for Traffic Safety.

Embry, D.D. (1984). Designing instructional materials for young children. *New Dimensions for Exceptional Children, 3,* 75-99.

Embry, D.D., Rawlins, J., Hunt, M. and Hemingway, W. (1984). *My Safe Playing Book: An experimental evaluation of a bibliotherapeutic approach to reduce pedestrian accidents to 4-year old children.* Wellington, New Zealand: Ministry of Transport.

Embry, L.H. (1980). *Storybooks as prompts for parent-child interaction.* In J. Lutzker (Chair), Children's storybooks as mediators of behavior change. Symposium presented at the annual meeting of the Association for Behavior Analysis, Dearborn, Michigan, May.

Embry, L.H. (1981). Analysis, assessment and development of family support for handicapped preschool children at-risk for abuse. In J.J. Gallagher (Ed.), *New directions for exceptional children.* San Francisco: Jossey-Bass.

Embry, L.H. and Embry, D.D. (1987). Final Report: Project LIFE (U.S Department of Education Grant #G008303002). Bureau of Child Research, University of Kansas, Lawrence, KS.

Fisher, P. and Torney, J. (1976) Influence of children's stories on dependency, a sex-typed behavior. *Developmental Psychology,* 12, 489-490.

Gaudin, J.M., Wodarski, J.S., Arkinson, M.K., Avery, L.S. (1990-91). Remedying child neglect: Effectiveness of social network interventions. Special Issue: Applications of social support and social network interventions in direct practice. *Journal of Applied Social Sciences, 15,* 97-123.

Gittelman, R.S., Mannuzza, R.S., & Bonagura, N. (1985). Hyperactive boys almost grown up: I. Psychiatric status. *Archieves of General Psychiatry, 42,* 171-174.

Gottfredson, G.D. (1986). *Issues in adloscent drug use.* Unpublished final report to the U.S. Department of Justice. Johns Hopkins University, Center for Research on Elementary and Middle Schools, Baltimore.

Gottfredson, G.D. (1988). An evaluation of an organizational development approach to reducing school disorder. *Evaluation Review, 11,* 739-763.

Green, D. A. (1989). Study of the impact of bibliotherapy on the self-concept of Mexican-American children ten and eleven years of age. *Dissertation Abstracts International, 50,* (5-A) 1252.

Greene, B., Clark, H. and Risely, T. (1978). *Shopping with children: advice for parents.* San Rafael, CA: Academic Therapy Publications.

Greenwald, E. K. (1985). Effects of rational emotive education, imagery and bibliotherapy on self concept, individual achievement responsibility, and anxiety in sixth grade children. *Dissertation Abstracts International, 46(3-B),* 979.

Heath, S.B. (1989). Oral and literate traditions among black Americans living in poverty. *American Psychologist, 44,* 367-373.

Hemingway, W., Embry, D.D. and Parsonson, B. (1985). A systematic replication of the Safe Playing Program across four kindergartens. Ministry of Transport, Wellington, New Zealand.

Henker, B. and Whalen, C.K. (1989). Hyperactivity and attention deficits. *American Psychologist, 44*,116-223.

Hirshi, T. (1969). *Causes of delinquency*. Berkley: University of California Press.

Hundleby, J.D., & Mercer, G.W. (1987). Family and friends as social environments and their relationship to young adolescents' use of alcohol, tobacco, and marijuana. *Journal of Clinical Psychology, 44*, 125-134.

Hunt, S. and Adams, M. (1989). Bibliotherapy-based Dry Bed Training: A pilot study. *Behavioural Psychotherapy,17*, 290-301.

Issacs, C. (1980). New therapists: Preschool-age children in the home. In J. Lutzker (Chair), Children's storybooks as mediators of behavior change. Symposium presented at the annual meeting of the Association for Behavior Analysis, Dearborn, Michigan, May.

Jakibchuk, Z. and Smeriglio, V.L. (1976) The influence of symbolic modeling on the social behavior of preschool children with low levels of social reponsiveness. *Child Development*, 47, 838-841.

Jones, R.T. and Haney, J.I. (1984). A primary preventive approach to the acquisition and maintenance of fir emergency responding: comparison of external and self-instruction strategies. *Journal of Community Psychology, 12*, 180-190.

Kazdin A.E. (1980). *Behavior modification in applied settings*. Homewood, Illinois: Dorsey Press.

Kazdin, A.E. (1989). Developmental psychopathology: current research, issues and directions. *American Psychologist, 44*,180-187.

Kelley, M.L., Embry, L.H. and Baer, D.M. (1979). Skills for child management and family support: Training parents for maintenance. *Behavior Modification*, 3, 373-396.

Kelley, M.L., Schilmoeller, G. and Goetz, E. Teaching "please and thank you" using storybooks. *Educational Treatment of Children*, 10, 233-245.

Kendall, P.C., Howard, B.L., & Epps, J. (1988). The anxious child: Cognitive-behavioral treatment strategies. *Behavior Modification, 12*, 281-290.

Ketchel, J.A., & Bieger, G. (1989, April). *The efficacy of a psychologocially based drug prevention grogram for young adolescents*. Paper presented at the New England Educational Research Corporation annual meeting, Portsmouth, NH.

Lenkowsky, R. S., Barowsky, E. I., Dayboch, M., Puccio, L. (1987). Effects of bibliotherapy on the self-concept of learning disabled, emotionally handicapped adolescents in a classroom setting. *Psychological Reports, 61*, 483-488.

Lochman, J.L. (1988). Natural histories of conduct problems, delinquency, and associated substance use: Evidence for developmental progressions. In B.B. Lahey & A.E. Kazdin (Eds.), *Advances in clinical child psychology*. (Vol 11, pp. 73-124) New York: Plenum Press.

Loeber, R.T., & Dishion, T. (1983). Early predictors of male delinquency: a review. *Psychological Bulletin, 93*, 68-99.

Lutzker, J. and Drake, J. (1976). *A comparison of rapid approaches to produce rapid toilet-training*. A paper presented at the annual meeting of the American Psychological Association, Washington, D.C., August.

Lutzker, J., Croiser, L. and Lutzker, S. (in press). *The ironic effects of moral themes in storybooks on children's behavior*. Education and Treatment of Children.

Matthews, C.E. (1990). Indian-related materials in elementary science instruction, *Dissertation Abstracts*, 52/02-A, 492.

McLoyd, V.C. (1989). Socialization and development in a changing economy: the effects of paternal job and income loss on children. *American Psychologist, 44*, 293-302.

Mikulas, W. L. et al (1985). Behavioral bibliotherapy and games for treating fear of the dark. *Child and Family Behavior Therapy, 7*, 1-7.

Newhouse, R. C. (1987). Generalized fear reduction in second-grade children. *Psychology in the Schools*, 24, 48-50.

Pardeck, J.T. (1990). Bibliotherapy with abused children. *Families in Society, 71*, 229-235.

Patterson, G.R., DeBaryshe, B.D., and Ramsey, E. (1989). A developmental perspective on antisocial behavior. *American Psychologist, 44*, 329-335.

Pearson, L. J. (1987). A comparison of two bibliotherapeutic strategies to reduce the fears of young children. *Dissertation Abstracts International*, 48, 1392.

Peed, S., Roberts, M. and Forehand, R. (1977) Evaluation of the effectiveness of a standardized parent-training program in altering the instruction of mothers and their noncompliant children. *Behavior Modification*, 1, 323-350.

Pentz, M.A., Dwyer, J.H., MacKinnon, D.P., Flay, B.R. Hansen, W.B., Wang, E.Y.I., & Johnson, C.A. (1989). A multi-community trial for primary prevention of adolescent drug abuse: Effect on drug use prevalence. *Journal of the American Medical Association, 261*, 3259-3266.

Schinke, S.P., Botvin, G.J., Trimble, J.E., Orlandi, M.S., Gilchrist, L.D., & Loocklear, V.S. (1988). Preventing substance abuse among American-Indian adolescents: A bicultural competence skills approach. *Journal of Counseling Psychology, 35*, 87-90.

Shedler, J. & Block, J. Adolescent Drug Use & Psychological Health: A Longitudinal Inquiry. *American Psychologist, 45*, 612-630.

Shepherd, T. R.; Koberstein, J. (1989). Books, puppets, and sharing: Teaching preschool children to share. *Psychology in the Schools, 26*, 311-316.

Sheridan, J. T., Baker, S.B., de Lissovoy, V. (1984). Structured group counseling and explicit bibliotherapy as in-school strategies for preventing problems in youth of changing families. *School Counselor, 32*, 134-141.

Sloane, H., Jr. (1976) *Dinner's ready*. Fountain Valley, Calif: Telesis, LTD.

Swantic, F. M. (1986). An investigation of the effectiveness of bibliotherapy on middle grade students who repeatedly display inappropriate behavior in the school setting. *Dissertation Abstracts International, 47(3-A)*, 843.

Telleen, S., Herzog, A. and Kilbane, T.L. (1989). Impact of a family support program on mothers' social support and parenting stress. *American Journal of Orthopsychiatry, 59*, 410-419.

Tillman, C. E. (1984). Bibliotherapy for Adolescents: An Updated Research Review. *Journal of Reading, 27*, 713-19.

Tobler, N.S. (1986). Meta-analysis of 143 adolescent drug prevention programs: Quantitative outcome results of program participants compared to a control or comparison group. *Journal of Drug Issues, 16*, 537-658.

Toner, I.J., Parke, R.D. and Yssen, S.R. (1978) The effect of observation of model behavior on the establishment and stability of resistance to deviation in children. *Journal of Genetic Psychology*, 132, 283-290.

Tremblay, R.E., McCord, J., Boileau, H., LeBlanc, M., Gagnon, C., Charlebois, P., & Larivee, S. (1990, November). *The Montreal prevention experiment: School adjustment and self-reported delinquency after three years of follow-up*. Paper presented at the 42nd Annual Meeting of the American Society of Criminology, Baltimore.

Walters, R.H. and Parke, R.D. (1964). Influences of response consequences to social model on resistance to deviation. *Journal of Experimental Child Psychology*, 1, 269-280.

Wilson, J.Q., & Hernstein, R.J. (1985). *Crime and human nature*. New York: Simon & Schuster.

Zebrowitz-McArthur, L. and Eisen, S.V. (1976). Achievements of male and female storybook characters as determinants of achievement behavior by boys and girls. *Journal of Personality and Social Psychology*, 33, 467-473.

Samples from the media

Tucson, Thursday, December 31, 1992 The Arizona Daily Star

VIEWPOINTS

Building peace in our community

By Dennis D. Embry
© 1993 The Arizona Daily Star

Violence and aggression can be reduced by 25 percent in our homes, schools and community over a period of a year.

Several hundred scientific studies detail how and it can begin by taking some rather simple steps in our homes, neighborhoods, schools and communities. The crisis for personal and community action come from a different way of thinking about violence.

Disease or biological response?

Violence is a disease of human relationships. If we look at the roots of the disease, including both behavior and biology, we will find several key facts.

Violent adults or older teenagers typically have a history of chronic (or acute) aggressive acts directed at them as youngsters. For children exposed to violence directly, ongoing exposure to violence in the media increases their aggressive behavior. Coercive discipline at home and/or school — even when well-intentioned — has been repeatedly shown to increase the violent acts by children who have been labeled as aggressive.

Advances in medical research have made it possible for us to uncover biological changes as a result of exposure to violence. For example, we know now that individuals who suffer from post-traumatic stress disorder (such as combat veterans or crime victims) often develop very high levels of testosterone, a hormone that effects not only aggressive but also perceptions of safety, cooperation and sexuality. Most of us think of post-traumatic stress as a rare event, and one largely limited to adults. It is neither. For example, one out of five children in inner cities are likely to witness a murder before age seven, something well-known to cause post-traumatic stress disorder. The impact is not something that easily disappears with time. Electronic imaging techniques make it clear that changes in brain structure and neurotransmitters occur as a consequence of post-traumatic stress.

Survival of the most violent

This pattern of structural and behavioral change in children as a result of exposure to violence makes sense from a biological perspective. All of these responses have historically increased the survival of individuals and their social group. Elevated levels of androgens (hormones), such as testosterone, increase effective predatory behaviors — strength, sexual precocity to pass one's genes in the face of danger, lack of responsiveness to rewards that could be used as "bribe," worriless and distrust, quick response to signals that might indicate attack, and defensiveness about territory. Does this sound like urban gang behavior?

The effects are not limited to a single generation. Recent studies indicate that exposure to violence alters the hormonal balance in expectant mothers, and the fetus changes its central nervous system as a consequence — emerging at birth somewhat better "programmed" to deal with a hostile world. Evidence for this pattern can be seen in census data showing that at-risk populations for violence have higher birth rates, higher rates of left-handedness (related to special reasoning in predatory behavior in the right person of the brain), and higher rates of aggressive behavior problems among children at an early age. Again, nature is trying to protect her own — trying to give survival advantage, caring not about the law, property ownership, conventions or social contract.

Increasingly our culture commonplace threat. Violence and aggression fuel our bodies and minds respond with discreet biological and behavioral reactions.

The solution lies in using what nature has also given us — a brain capable of creating collaboration of building a culture that communicates cooperation and collaboration for common good.

Reed Green, AP Newsfeatures

This pattern of structural and behavioral change in children as a result of exposure to violence makes sense from a biological perspective.

Peace and community

Peace is not the absence of conflict. Rather, it is a state of cooperation and collaboration that maximizes the survival and welfare of all. Hundreds of scientific studies point to the path for maximizing, then preventing, the epidemic of violence we see primarily in our country.

First, we need to focus efforts on younger children, reducing their exposure to aggression prior to the onset of puberty. Published reviews of interventions to reduce violence show that early interventions are much more successful than interventions timed during adolescence. The reasons for this become apparent as we understand human biology.

Second, we need to build social competence of youngsters and reduce perceived social threat to youngsters. Several thousand research studies, an artifact of human consciousness, show that prosocial and respect build social competence, intelligence and self-direction in children. Thus, we need to teach children to praise others sincerely (which increases the probability that more good things will happen to them), and for adults to praise children for more social competence and self-direction. Adult praise — except in the case of adults who try to exploit children sexually — typically signals conditions of low threat and cooperation.

Standing up to put-downs

Social competence will be increased if we also teach children to reduce their use of put-downs (or insults), since the results lead to more effort

Third, we need to provide ample models (both in the media and real life) of adult and childhood cooperation. Such models reduce perceived threat and ongoing re-victimization of the symptoms of post-traumatic stress. These models of cooperation need to be explicitly pointed out and studied by children in their everyday lives.

If violence is a disease of human relationships, then the cure lies in relationship building. That is why a coalition of more than 20 Pima County organizations — businesses, schools, the police, the media and others — have joined together to create a positive "marbar event" to foster social competence of children at home, in school and in the community. The marbar event, highly visible to many in the community, began on Nov. 13 with the distribution of more 100,000 books to the elementary school children of Pima County called "I Help Build Peace." That book, the materials for schools and media programs (such as the weekly wrapper insert in the Sunday edition of The Arizona Daily Star) represent a collaborative, cooperative effort to build a community all of us consciously want.

Each of us can validate that effort by echoing the principles in our daily lives at home, at work and in the community. Begin today. Praise people honestly. Recognize them for their daily achievements and help. Reduce put-downs, our tokens of receiving criticism.

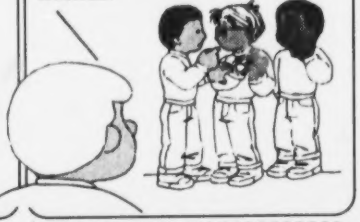
Dennis D. Embry, Ph.D., is the president of Newsprings, Inc. He developers of the "I Help Build Peace" program. He is a licensed psychologist who received national recognition for his efforts to help children and families affected by the pull out. His article "Creating Consensus America" appears in the December issue of Times Magazine

BEST COPY AVAILABLE

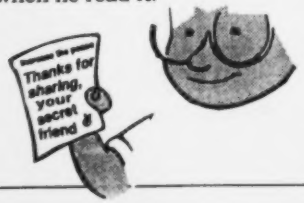
"I can do something to increase the peace. You can, too. Here is how"

"I learned something about older teens and adults in prison. They felt rejected by other kids when they were growing up."

"That made me think. I can help kids my age be more accepted. So I noticed another boy who had trouble making friends."



"I watched until I saw the boy do something nice for the other kids. Then I wrote a <u>secret</u> note to the boy about the nice thing he did. You should have seen how happy he was when he read it."



"After the secret note, the boy started being nicer to lots of other kids. He even became friends with ME. He stopped hurting other kids so much. That's how I started increasing the peace."

Increase the Peace.
Praise People.
(Hint: use this secret note like the story)

...from a secret friend

Co-sponsored as a public service by...

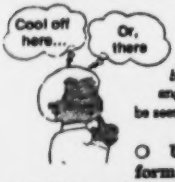
Family Support & Family Advocacy Board

BEST COPY AVAILABLE

First Aid For Dealing with an Angry Young Person

○ **Lower the pitch of your voice.**

Yelling or using a high-pitch in your voice says there is something to run away from. Using a lower pitch gives authority with no intent to harm. Lower pitch invites more rapid compliance with your instruction.



○ **Give choice for cooling off place.** *"I see you are angry. You can sit in the back of the room or in the office until we talk about this. Which do you choose, the back of the room or the office?"* Giving a choice defuses the anger more than telling someone to go to one place, which can be seen as an act of aggression—making the anger worse.

○ **Use a "When-Then-Choice" sentance form while giving instruction.** *"When you are sitting in the chair and can ask me in a calm voice, then we will sort out what needs to be done."* Direct commands—"Sit here and tell me what happened!"— tend to increase resistance and anger. A "When-Then" construction lays out the path for the young person to act in a positive way to obtain the goal. Choice gives respect.

○ **Ask about the results of action rather than lecturing about the rules.** The aim is to reduce the chance of the re-occurrence of the person's act. Lecturing, explaining, pleading and scolding will almost certainly not change the behavior. Often, the person will simply argue back or tune out. Asking about the result of the action improves the chance that the person will change in the future. Here are some sample questions to ask:

- What unpleasant thing happened when the rule was broken?
- What rule did you break?
- What could you have done instead?
- What pleasant things happen when you do (*the positive thing identified by the person*)?

○ **Give choice for penalty or for making amends.** Future, positive acts are more likely, and angry acts are less likely, if you offer a choice of penalty to the child. Say something like, "You can either write a note (answering the questions above), or can carry Jim's books between classes as an apology. Which one do you choose?"

○ **Walk with a young person to let them explain and expend their emotional distress.** Teachers may not have the time to walk with a child, but other school staff may. This often works better than having the child sit in a chair or come to an office.

Produced as a public service by:

The Arizona Daily Star & Heartsprings, Inc.

with special thanks to the staff of

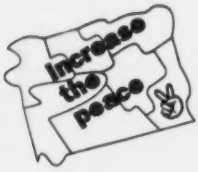
Desert Hills Center for Youth and Families

for their ideas

Copyright © 1996 Heartsprings, Inc. All rights reserved. Permission is granted to reproduce in whole, but not in part.

For information on Step Up Tucson! contact the Project, phone [illegible], Inc., P.O. Box 13138, Tucson, AZ 85732, or phone 888-8977. Heartsprings, Inc. is a member of the Prevent After Cautions of Pima County. The real threat program on the model of a continuing private-public partnership to reduce violence in the community.

BEST COPY AVAILABLE



Three ways to get adults to listen and respect young people more

○ Ask the adult to walk and talk with you.

When you really want an adult to listen to you, ask the adult to go for a walk with you so that you can talk. The adult won't be so distracted and will hear you better.

Young people often complain that adults really don't really listen to them. Part of the problem may be that the adult is too busy trying to pay attention to other things. By asking the adult to walk with you, they have to listen more carefully to you and the adult is a lot less likely to get on your case. A once a week walk with an adult in your family can really help build more respect.

○ Offer two different ways make up for a mistake

Everybody goofs from time-to-time. When a young person goofs, adults sometimes make up a punishment that young people find unfair. When that happens, the young person complains, and the adult gets mad. You will get a lot more respect from the adult if you notice the mistake and propose two ways to make it up. The adult will be much more likely to treat you fairly by choosing one of your ideas and to listen to your side.

P.S. Make sure that the two options you propose make sense and are realistic for the adult and you.

○ Notice and praise the good things adults do for you each day.

Almost all adult say that young people don't notice the good things adults do for kids. Young people say almost the same thing about adults. Getting and giving respect is all about noticing the good things that we do for each other.

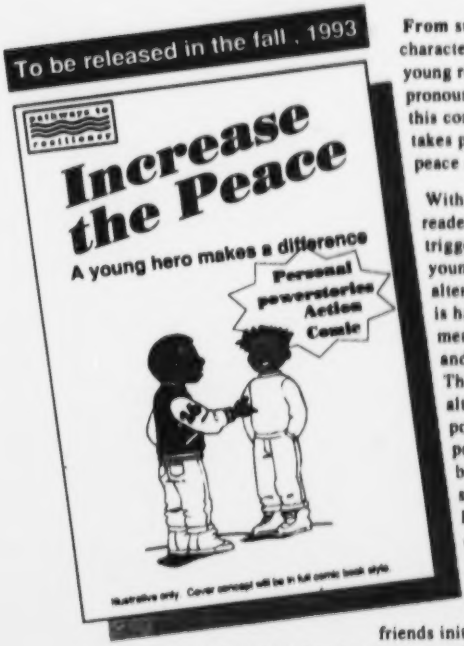
As a young person, you can get adults to give you a lot more respect and get more of the things you want when you praise an adult each day for some small thing done to help you each day.

Copyright © 1993 Heartsprings, Inc. • P.O. Box 12158, Tucson, AZ 85732 • 602-322-9977
All rights reserved. Additional copies may be ordered from the above address.

BEST COPY AVAILABLE

Join 100,000 young people on Thursday, November 12, and start building peace in Tucson. Read this comic to find out how.
NOV. 12
"I help build peace in"
Desert Hills
What people are saying about "I help build peace..."
Earn a FREE Personal Pan™ Pizza
Pizza Hut
PEPSI
Desert Hills
The Arizona Daily Star
Sponsors and supporters of "I help build peace..."
Win a Free Trip for Four to Disneyland.
DELTA
TRAVEL

A Community-Wide Comic to Show Ways to Increase the Peace



From superhero to local hero, the main character of this comic—the actual young reader by using the first-person pronoun "I"—makes a difference in this community. The young reader takes positive steps to increase the peace at school and home.

With detective-like skill, the young reader notices how certain actions trigger violence and aggression. The young reader grasps some alternatives after talking about what is happening with two wise adult mentors—a male Vietnam veteran and a female teacher's union leader. The young reader starts doing these alternatives in daily life, with positive effect. Another young person, something of a troubled bully, watches from the sideline, subsequently trying what our hero does. In the story, the hero comes to understand a bit about a real warrior being a person who works to create peace in the community. The hero and friends initiate a school-wide plan to reduce violence that involves getting and giving respect, keeping the peace and learning ways to protect one's self.

Target audience: All middle-school youth, using a media popular with the age group—an action comic. Focus groups and youth input from three school districts in Pima County have been used to help design the comic.

Rationale: Focus groups with young people—from kids in trouble to kids doing well—reveal that they read more than adults commonly think, and they prefer comics, *Sports Illustrated, Mad Magazine*, etc. Such media can be used to teach prosocial skills, if carefully constructed.

Linkages: Links to the overall Pathways to Resiliency model, including I Help Build Peace for elementary schools and a program for middle schools.

Senator DECONCINI. Thank you, Dr. Embry.
Mr. Cooksey?

STATEMENT OF ROY COOKSEY

Mr. COOKSEY. I would just like to thank Senator DeConcini for putting together this kind of a panel and this kind of a session, because it is something that is sort of rarely seen in these parts, where everyone is called upon to come out and make their input. I think this is a healthy thing and I hope that local officials will buy into it, so that they can hear the real problems of the community.

I changed my sermon a little bit, because of things I heard last night. My grandson mentioned that we talk so much about problems in the distance, we talk about how to solve the problems of the world, Los Angeles and elsewhere, but we neglect to talk about the problems at home.

Now, this might be a little different from the way things are going this morning, but I think that it is necessary for me to talk a little about the unique problems facing other people, some of the people of the community, particularly African-Americans. So many times, we are so preoccupied with the problems in general, and so many times we hear how good and how great we are.

I would just call your attention to some of the things that they said during the riots of 1967 in the Kerner Report. It said, in effect, that the nation was moving toward two societies, one white, one black, separate and unequal, and that the chief root cause of the riots were "white racism."

So I think that sometime we are going to have to come to grips with the problems that we face in our society. Now, I was disturbed today when I walked out—not just today, but all last week when I was talking to youngsters and adults about coming to the meeting. They said why, you know, why, can you give me one reason why I should waste my time. Others said, you know, I make $4.25 an hour and I would get fired if I didn't go to my job. So I think this was very moving to me, when we talk about the great progress that we are making.

Now, one of the major problems that we identified in 1967, when the report was made, was jobs, was one of the major problems, law enforcement or the lack of it, and the mass media, among other things, were the main causes of the civil uprising. Now, I venture to say, as we look for solutions, if you would take the Kerner Report and photocopy it, alter it a little bit, adjust it and implement it, the problems would go away. It is basically just that simple, and I would like you to think about that.

Jobs, jobs in Tucson for African-Americans are almost nonexistent. Incidentally, I am talking as a pioneer. I have been here. I helped to build Arizona. I helped to build the mines and the smelters, when I couldn't even work in them after they were built, and then we came back later and integrated them. So the jobs are there, but you can see millions of dollars of jobs going up to Dana. You check it out, if you have some problem with my statement, and you won't see a black face on the job. I can't hardly get to work when I go, and I go down 6th Avenue, incidentally. The road is all tore up and that is great and people are working. I have been

trying to see a black person working on construction, when we helped build this country, this State.

As a matter of fact, I don't want to get into details, but I was one of the first black foremen in the State of Arizona pouring concrete. I did it pretty good, because I-10 still stands and I poured it a long time ago.

So I think this is the major problem. You can talk about recreation, you can talk about boxing and football—and I really go for that, because I used to box a bit—but you can't do it on an empty stomach. So these are the kinds of programs.

Let's get back a little bit to law enforcement, for that was one of the other problems that were identified. You have programs in this community that are operating contrary to the law, and everybody knows it. For example, the community service program, it requires that—and you say it in your little booklet—that you are to operate under the guidelines in accordance with title VII of the 1964 Civil Rights Act, and title VI. I venture to say—and I would challenge you to get an investigation going and check it out—the Urban League is the only program that is in compliance. You check it out.

In 1991, they had 71 employees. They had 34 Hispanics, 45 African-Americans and I am not sure the number of females, and they have 2 Native Americans and another entity that I would not care to mention that is representative of most of the others, has 20 employees, not 1 African-American, they have one Anglo, and some of them have right the opposite.

I guess the point I am making is you are required under title VI to have participation, it requires participation about the people being served in participation and enjoyment of benefits. Boards, committees, jobs, et cetera, should be evenly produced and provided to people of the community of all ethnic groups. This is not done. So that is one of the major problems.

The other problem is law enforcement, as I said. The jails and the prisons have a disproportionate number of minorities in them. Now, you might say they are "bad," if you want to, but check out the record, and we find that people are basically the same. I think these are some of the major problems.

Then they want us to participate, and I have to go back to the people who ask me why, why should I go, why should I bother. But we are still here, because we still have confidence. We have been at this for many years, as you know, and we will continue to do so.

So I am going to move along and let others have something to say, but I would make some recommendations. One recommendation would be to appoint, elect or hire a compliance officer to check out the social programs here in the City of Tucson, check it out in terms of their compliance with title VI and title VII of the 1964 Civil Rights Act. Dan Quayle and Ted Kennedy cosponsored a bill called the JPTCA Corps, and you ought to read it. It is very interesting. It tells how many employees who never hire African-Americans are, in fact, getting money to subsidize their payroll. So these are the kinds of things that really hurt.

Tucson District I, their schools, where there is not even a black home mother, not to say anything about a teacher, now how are you going to tell my grandson that he ought to be a school teacher, he ought to be a whatever. He doesn't see any models.

Chief Hedtke, you are right about the resource office, because I was there. We have to usher in the plan for the first school resource officer. There is, in my opinion—and I stand corrected—not one African-American school resource officer in the City of Tucson, and I strongly recommend that you do so. Let our African-American kids see a good police once in a while.

Thank you. [Applause.]

[The prepared statement of Mr. Cooksey follows:]

INTRODUCTION

My name is Roy L. Cooksey president and founder of the Martin Luther King JR Memorial Society,INC. I am retired from the Arizona Civil Rights Division of the State Attorney Generals' Office, Past President of the southwest area conference of the National Association for the advancement of Colored People. I received my high school equivilency certificate via Adult Evening Classes at Tucson High school. I attended Pima College, the University of Arizona, UCLA and I hold a BA Degree in Public management from ST. Marys' College of California.

The purpose of the MLKMS is to fight Poverty, Violence and Racism, three key forces detrimental to the tranquility and survival of mankind.

YOUTH VIOLENCE

Our topic this evening is one that is difficult to discuss in a vacum. It might be impossible to restrict violence to any one segment of our society. Organized violence in the form of hate groups, cults, drug dealers, and yes under the guise of law and religion spans all age groups and comes in cycles: evolving about every decade and maxing out about every score or quarter century and as we count down the twentieth century, I am afraid the score cards will indicate that we are trailing on points. At a time when violence is spreading across the globe like a conttageous disease the question becomes, do we have the intestinal fortitude to bail ourselves out.

Historically, these cycles of violence are always preceded or ushered in by a strained race relations and a depressed economy. It is a time when we consciously or mabe even unconsciously revert to a subtle form of division or seperatism along racial,economical, political, philosophical, and religious lines. This raises the question asto whether or not we are moving faster towards seperation than intergration.

To understand youth violence in our society today and find alternatives to address the problem it might be helpful to study some contemporary history. About a quarter century ago, we found ourselves in the midst of a major civil uprising along racial lines. The majority of the participants were young black males, 15 to 24 years of age, highschool dropouts,lifelong ghetto residents,with a growing measure of of racial pride,hostility toward the middle class (black or white) and distrust of the political system and the role of police enforcers.

In the aftermath of the urban riots in 1967,president Lyndon Baines Johnson appointed an eleven member commission one of whom was Ms Coretta Scott King, chaired by former Governor Otto Kerner The President instructed the commission to answer three basic questions, what happened, why did it happen, and what can be done to prevent it from happening again. The commission concluded that the root cause of the problem was '' White Racism''They soon recognized that the causes of the rioting were implicitin the situation and conditions of ghetto life.

They further concluded that the nation was moving towards two societies; one black and one white seperate and unequal.The recommended a program equal to the deminision of the problem.

SIMILIARITIES and DIFFERENCES

As we compare the economies analyze race relations and identity the problems facing poor people at the peak of the uprisings in 1967 and on the eve of the 21st. century in 1993, we find more similarities than differences. Problems identified during the 1967 civil disorder were, high crime rate in black neighborhoods lack of health facilities and municipal services,high infant mortality among blacks, poor garbage collection and the increasing compressionof poor black citizens within the urban ghettos. These problems were compounded by poor educational opportunities,inadequate recreation facilities biased administration of justice, discriminatory credit and consumer practices, feeble welfare programs and incredidle high unemployment.

A NATION RESPONDS

People of all ethnic groups put aside their political differences passed new laws and implimented new programs

Senator DECONCINI. Thank you, Mr. Cooksey.
Mr. Noonan?

STATEMENT OF DENNIS W. NOONAN

Mr. NOONAN. Senator DeConcini, thank you very much for inviting me this morning. I also thank you very much for the last 10 years of your commitment to the issues of youth and children, that of yourself and your staff over that time. You have committed, any time we have asked you to act on behalf of children's issue through legislation, you have been there for us and we really appreciate it.

The issue that I would like to present this morning is that around the issue of youth violence there is more to youth violence facing us today than illegal gang activities. Violence for many youth is the answer to the problems that they face, whether it is a bully in school, whether it is a situation where they are feeling uncomfortable about who they are themselves.

The rate of adolescent suicide, Arizona is one of the leading States in the area of adolescent suicides. The issues of eating disorders, the problems that we see not only in suicide, but all of the other factors that do not always hit the front page of our newspapers.

We see suspensions for fighting up, we see racial altercations on our campuses up, we see more and more suspensions for possession of weapons in our schools, and that is only the tip of the iceberg. The problem is what we are not doing is we are not giving our youth the opportunity to learn the alternatives there are to resolving conflict, which is a natural part of our lives, in positive and supportive ways.

We need to get back to being able to help families and help schools and help, as Roy was saying, show role models that will positively influence our youth and our communities. Like I said conflict is a normal, natural situation for many people. We have conflict ourselves when we are dealing with our own abilities to take values and make difficult decisions in our lives. Conflicts between youth, between parent and child do not have to be solved by fighting, either verbal or physical assault. Unfortunately, we are finding ourselves and our children shooting at each other, rather than dealing with each other.

Today, we find children who are lacking in helping schools, we find youth that are parents and adults that are afraid of the youth on our street and youth living in our homes. How many parents we have heard at the agency I am working with who are afraid to confront their own children about the issues, not because of what they are going to hear, but what their child might choose to do to them. That is something that we cannot tolerate in this country, and that is something that we cannot tolerate in this community.

I guess it is no wonder, with all those factors, plus the added factors of the issues of how our media has raised our children, that we find our youth involved in gangs, where their find their support and nurturance. We find them playing games like Russian roulette with handguns. We find them caught up in the cycles of depression and we find them caught up with the heavy use of alcohol and

other substances. We also find them acting out in violence toward women, adults, peers and themselves.

How many of you read a comic book lately? How many of you have walked into a store and picked up a comic book and flipped through the pages? It is not the same as it used to be. Comic books, like other parts of our society, exploit individuals, exploit women and continue to carry through the negative stereotypes that we find in the negative parts of our community.

It is very interesting to listen to Charles Barkley talk about in his Nike ad, he is not a role model, he is not here to raise our children, parents should raise their children. Even Charles I think understands the fact that it is not as easy as it used to be. Parents and families and communities need help in being able to carry the normal development of their children through high school these days. It is not easy. It is not the same as it was 13 years ago, when I began as a counselor at Our Town.

I think one of the things that hit me last week was sitting in a meeting where I was listening to the clinical director for the Department of Juvenile Corrections explain a new and innovative program that was being implemented here in Arizona and was being used as a model in other jurisdictions in other parts of the country.

The model calls for a small number of youth to live in cottages. Low staff-to-client ratios are provided, a sense of clear expectations and safety and trust is developed with the youth. Role models use positive interactions and staff reinforces all positive behavior by the youth. Skills are taught to help the youths succeed in interpersonal relationships, so they can interact with each other.

For me, it was truly ironic to sit there and listen to the fact we were creating the perfect home and school environment in the institutions we have for our violent youth. That is wonderful that we are doing it there. But while we are spending our money to develop those programs in the institutions, our schools and our families are crumbling under the stress of cuts in budget, limited service and failed legislation.

I think that Tucson is a wonderful diverse community and reflect what Alice was saying, because of lack of funding on the State level and city level right now, we have been very creative in the programs we put together. But I think that there is time now when we need to look for a little more support and a little more help.

Some of the things I would like to see us look to is more leadership through coordination of services nationally. I would like to see more emphasis on treating the issues related to the total child, not just the substance abuse issues of children, the violence issue of children. We want to talk about the total child and the total family and how we can work together to resolve those issues, and I believe the Child Welfare League has some literature that they are pointing to, some legislation which they want to see implemented with those areas.

This is not just a law enforcement issue, an education issue or a housing issue. It is an issue for the total need of the child and the total need of the family that needs to be addressed. Until we start seeing some leadership on the national level and some commitment from the heads of the Department of Health and Human Services,

I don't think there is much chance for us to be able to implement comprehensive programs on the local level.

We also need to see reasonable gun laws. As long as the state-of-the-art guns are cheap and more available to youth than recreational educational opportunities and cheaper than an hour of counseling, we can't expect our youth to give up the guns, guns that they use not only for taking out their frustration on others, but also protecting themselves.

Legislation focused on support of families needs to be encouraged. No one wants to see the deficit continue to grow, but it should not be cut at the cost of our youth and families. The proposed cap on domestic spending, which is part of the recently passed House tax bill, could be a detriment to the development of services due to children, and I think it needs to be looked at very closely, as it comes to the Senate for discussion.

More programs like the bipartisan program offered by the Rockefeller and Bond program, the family preservation bill needs to be passed so that we can restructure our existing services to youth through title IV-E and also focus more focused energy on community based alternatives and family services.

We need to encourage and enhance cultural local neighborhood control programs. Efforts like Head Start and the Runaway and Homeless Youth Act need to be enhanced and not watered down by outside academic influences and State bureaucracies. It is great to have the universities involved in helping us develop programs, but it is counterproductive to use the university as the value structure for which programs should be developed in our community, and I think that we need to make sure that technical help is there as part of Federal support, but not mandated as part of Federal funding.

Cultural sensitivity classes and, like Dr. Garcia said, conflict resolution and mediation programs need to be encouraged in our schools and in our summer programs throughout the communities.

Youths that still leave school after 12 years of education should not just be able to solve an algebraic equation. They should also be able to handle basic life skills, such as money management, balancing a checkbook, interpersonal communication and basic nutrition needs.

Finally, one of the other things that we need to look for is, unfortunately, the community service program, the ability to give youth not only jobs, but also give them the opportunities to be able to learn from a job experience, so they can take that on to the next level, and I think we need to push for those kind of programs, so that they can not only get the jobs they need now, but also look forward to the possibility of going on to trade school and college and having that paid for with the time they put into their community service programs.

Thank you.

[The prepared statement of Mr. Noonan follows:]

Testimony by:

Dennis W. Noonan, MSW

Senator DeConcini, Senate Committee Members, and Staff. Thank you for the opportunity to address the Committee this morning on the issue of youth violence. As a professional social worker and the Director of a youth and family community Agency in Tucson, Arizona, I have seen first hand the escalating levels of violence in our homes, schools, and neighborhoods over the past ten years. I have worked with the victims and perpetrators of violence, and have observed the fear, anger, distrust and sense of hopelessness which has transformed our youth into objects to be feared by adults in our society.

Youth violence goes far beyond the issues of illegal gang activities and the dangers on the streets of our urban communities. Youth violence is today found in our homes and classrooms as youth use guns and violent actions to address their inability to deal with failing grades, bullies, personal rejection, abusive parents, and their own sense of failure. It would be shortsighted of us to address today only the front page, highly visible illegal activites of groups of youth while the rate of school suspension for fighting, racial altercations, and possession of weapons continue to grow to tragic levels.

I will not present this morning the alarming statistics of youth crime nor will I present first hand accounts of victims of violence or the background of abuse, rejection, and discrimination of many of the youth who are responsible for violence in our streets. I will leave that to the youth and other panel members before you today. The focus of my comments will address the broader question of youth violence as it occurs in the escalating rates of adolescent suicide, dating and relationship violence, and the use of violence to resolve interpersonal, school, family, and peer relationships by youth.

Conflict is a natural situation when a person finds himself at odds with his own values and the need to make a difficult decision. Conflict between two individuals presenting differing points of views is a normal part of life. Our ability to successfully deal with conflict and its associated feelings is a product of our life experiences and our learned coping skills. Many youth today find themselves lacking in both these areas and have no positive experiences in resolving conflicts without violence. The changing American family, the impact of television, economic hardships, especially among ethnic minority populations are factors which have impacted the youth of today, their values, coping skills, expectations, and sense of reality have been shaken by insecurity in areas that we adults take for granted. Much has been written about the impact of the single parent family on youth, - much less written on the multiple family stressors placed on children of divorce as they must learn to deal with two or more sets of parents, with varying expectations, and differing values. Much has been written about the impact of drop-out rates, on self-esteem, - little written on the unfulfilled expectations and the pressure of youth who are pressured to succeed at all cost. Youth today must live in the fear of the actions of others, whether it is a stray bullet on the school campus, AIDS through sexual contact, or drunk drivers on the streets. Add to that the conflicting messages of the nightly teen television show, the latest angry CD lyrics, or the monthly magazine or violent comic books they read. How else could youth feel but overwhelmed and out of control over any part of their lives, a fact that greatly stresses their relationship with parents and peers.

Is it any wonder then that we find our youth today involved with illegal gangs, playing in games of "Russian Roulette" with handguns, caught up in cycles of depression, suicide, eating disorders, heavy alcohol abuse, and acts of violence towards women, adults, peers, and themselves. A sense of hopelessness too often overwhelms their lives at a time in their development when independence and self assurance are supposed to be the natural stage of development. Youth unable to control or impact their own lives turn to guns, cheaper and easier to find than an hour of counseling, to protect themselves and deal with their problems. As adults, how sad we feel when we hear of a youth who takes his own life. How surprised we are when we hear of a youth who walks into a classroom and shoots a peer or teacher. How condescending we are when we hear about the quote accidental "shooting" of one youth by another. How judgmental we are when we hear about another illegal gang activity ending in violence, yet we fail to see the comparison of their needs to our own needs as we drive to the bar to meet our friends after our weekly club softball game or on the way home from a Junior League Club meeting. Perhaps we need to recognize in ourselves the need to belong, to share, and be a part of something, and to find ways for youth to find the same positive support in their lives.

The problem of youth violence lies in our inability to recognize the real needs of our youth, not just the false sense of security which has our high schools looking more like the Wilmot Road Prison and our Juvenile Courts used as holding tanks for the transfer of youth to adult correctional systems. The issues of quality of life, the treatment of youth as a valuable part of our communities, not as expendable objects of fear needs to be maintained. I recently listened to the Clinical Director for the Department of Juvenile Corrections (DYTR) explain their new, innovative approach to treatment which was already catching on as a model in other states for dealing with violent youth. The model calls for a small number of youth to live in cottages. Low staff to client ratios are provided. A sense of clear expectations, safety, and trust is developed with the youth. Role models and positive interactions are used by staff to reinforce positive behaviors by the youth. Skills are taught to help youth succeed in interpersonal relationships so they know how to act with others. For me, it was truly ironic that we are talking about creating the perfect home and school community in our institution for violent youth while we continue to watch and let our schools and families crumble under the stressors of the budget cuts, limited support services, and failed legislation which would help communities and families to help keep youth out of the correctional system.

Charles Barkley, the Phoenix Suns basketball star, has a new shoe commercial where he directly states that he is not a role model, he is a basketball player, parents should be role models and raise their own children. As I am sure Mr. Barkley knows, it is not quite that easy. In today's society, the role of media has created a whole new cultural norm for our youth, one of $70.00 shoes, clear soda, perfect deodorants, and clear, clear complexions. A purple dinosaur named Barney, teaches values and gives comfort, while a big yellow bird and group of monsters teach children to count and recite the alphabet. This acculturation of our youth continues with teen movies crammed with sexual exploitation and wanton violence while television sitcoms solve the most complicated social or personal problem in 21 minutes, minus commercials. In today's world, parental impact, cultural values and traditions, are diminished and school once a source of socialization, stimulation, and pride, has been overshadowed by the stimulation of video games, while street gangs provide the socialization, pride, and sense of belonging which youth need to feel supported. Law enforcement as the main source of control on the streets is feared by few, despised by many. Is it any surprise then that adults think that the only hope for the law abiding citizens is the lock up of youth criminals in adult jails, again giving us a false sense of safety and security.

Some suggest we just write off this generation, and begin anew. Lock them up and throw away the key. The problem is they are our future and are capable of making it with support and leadership. These youth like the victims of war and the soldiers who fight in battle, can be a valuable, contributing part of our community. These youth have seen death and destruction but still seek what all of us seek for ourselves. We know the answers, we just lack the leadership and support to make a difference.

SOLUTIONS:

There are many successful programs in communities throughout the country. What is lacking is the leadership through the coordination of efforts nationally to look at the whole problem of youth violence. It is not just a law enforcement, education, housing, health and human services, or substance abuse problem. It crosses all these areas and until a national plan and commitment develops for all children , there will continue to be only isolated pockets of success in an otherwise dark picture. Joint funding and coordinated programs can greatly enhance local community efforts to address the problem with unique programs effective in neighborhoods and barrios throughout our country.

Reasonable gun laws. As long as state of the art guns are cheap and more available to our youth than recreational or educational alternatives, then youth will continue to carry and use handguns and assault weapons on our streets and in our schools both to hurt others and protect themselves.

Legislation focused on support of families and children. While no one wants to see the deficit continue to grow, it should not be cut at the cost of our youth and families. The proposed cap on domestic spending, a part of the recently passed House Tax Bill, will hurt children at the expense of defense and foreign policy. More programs like those outlined by the bi-partisan Rockefeller, Bond Family Preservation Bill needs to be passed to help support our families, meet the needs of rearing their own children effectively. Funding of community-based alternatives needs to be enhanced, most communities and neighborhoods know how to handle their own children. They need the funds to enhance cultural, local, and neighborhood programs. Efforts like Head Start and Runaway and Homeless Youth Act need to be enhanced and not watered down by outside academic influence or state bureaucracy. Evaluation and program consistency are important parts of a successful program, but communities, not Universities should control the content, placement, and values of a program with the outside support for technical assistance available from Universities, not required for federal funding. Programs such as Conflict Resolution, Mediation, Cultural Sensitivity, Life Skills Classes, and Teen Courts, need to be provided in schools and summer programs. Youth after 12 years of school should not just be able to solve algebraic equations, but be able to handle basic life skills, such as money management, nutrition, and interpersonal communication.

Finally, youth jobs such as those proposed by Community Service Program Bill needs to be instituted. The job and practical experience as well as the chance to attend college and trade schools is for many, the only ticket out of a sense of hopelessness and a life of crime, isolation, and violence.

Thank you again for the invitation and opportunity to present before this Sub-Committee.

Senator DECONCINI. Thank you for those detailed suggestions, both on the Federal level and the local level.

Ms. Romero?

STATEMENT OF ENRIQUETA ROMERO

Ms. ROMERO. Thank you, Senator DeConcini, and to the community that has shown their support by coming out last night and this morning. I know you have heard a lot and you have your own reactions, but I thank you for sitting through it and for representing your concerns.

Senator DeConcini, I come to you not representing Pima College, but representing a person who grew up on the South Side and is most proud of being a Pueblo graduate. If I did nothing else in my life, that would be a highlight. But, of course, that is not all I have done.

I have come to a good many children in the past two or three years, and what I have learned is that responsibility rests not just with parents, the police or teachers, but with the community. Community is the key word. We cannot do it alone. A child is not just a mind to be educated by TUSD, a heart to be loved by family or parent or friends, or hands to be employed in a summer youth employment program. It is a whole child and we need to take care of the whole child.

There is an African proverb that states it takes an entire village to raise a child. Here is your village, Senator DeConcini. Here are the parents, the grandparents, the brothers and sisters that are concerned, and I charge you to be a village elder and to take back to DC, after you leave us and the barrio, our concerns.

Our concerns are that the current programs which many feel serve us are not for us. They are not culturally sensitive. They do not have space. They do not have resources. The people who run them sometimes are not adequate, not because they don't have love for the children or the community in their heart, but because they have not been trained properly, they have not been assisted in grant-writing and leadership skills and conflict resolution.

So I ask that when you go back to DC, you remember not us the adults, but the children that you met last night and today. I want you to remember Chris Jones, Rosie Hernandez, I want you to remember Alex and Ronnie and Valerie. That is what you need to take back with you.

Senator DECONCINI. Thank you. I will not forget them, and the ones I met yesterday in Phoenix, both ex-gang members and present gang members that I spent several hours with, and I thank you for that suggestion.

Mr. Sharpe?

STATEMENT OF JOHN SHARPE

Mr. SHARPE. I want to thank you for having me here today to speak to you. Another person in the audience, because of the high success rate of my program, is Dr. Gene Weber, who spoke to teachers, counselors, principals and other school districts about the program when they thought I was as little off the deep end because

74-122 O - 94 - 8

of what I was doing. He persuaded them to allow me to try the program.

I have been into martial arts now for 35 years actively. I am one of the top 5 instructors in the United States and probably one of the top 10 instructors in the world. I am also the founder of Gangbusters, Inc., which is a nonprofit organization put together here in January 1992 in Tucson.

I am here today to talk about gang violence, gangs and what is being done by Gangbusters, Inc. to help eliminate these problems. Gang violence has escalated over the past 10 years to levels of intolerability. What was once a problem associated with the inner-city of major metropolitan areas has spread into all America, affecting people of all walks of life.

It is not a low-income problem, as we once perceived it to be. Today's gangs consist of members from a wide range of economic backgrounds. Hate crimes, turf wars and riots are all part of violence that use these angry displaced youth of the melting pot of America. We need to take responsibility for our actions and search for ways to restore faith in our children and give them a chance to reach their dreams.

What can be done to successfully combat this growing problem and gain control of this lost generation? In January 1992, as I said, I realized the growing need for our kids to have a positive alternative to the streets that teaches them respect for others and respect for themselves. For without respect for yourself, you can't have respect for anyone else. From hard work and respect comes honor and the sense of positive accomplishment.

The kids need to see that someone really cares for them. They need to be shown respect, love and a strong sense of belonging. They need a role model or hero, if you will, to lead the way for them to follow. Thus, the formation of Gangbusters. It was established to give kids a positive alternative to the hard streets.

Gangbusters' martial arts programs offer free instruction in martial arts to any student from grade school, ages 3 years old, until high school graduation and sometimes beyond. We have some basic principles that they must abide by. One, the student must improve his or her school grades each and every semester. Second, the student must stay away from gangs and gang members. Third, the student must stay away from drugs and alcohol. And fourth, he must show respect to his family members and those of authority, and basically anyone he is making contact with.

Once the kids agree to this, they are given a brand new deed, which is a uniform used in martial arts. The look on a kid's face when they get the uniform is a sense of total relief, a sense of finally belonging to something great, a sense of beginning a new life.

I require all students to bring in their report cards to show me at the end of each term in the school year for my personal review. If the student has not shown improvement in his or her grades, then I will discuss with them how they will go about to improve the grades in the next quarter. Again, if they do not improve their grades, we will discuss different alternatives.

As you can see from the copies of report cards that I handed to you, the students are learning respect for themselves and 97 per-

cent of the kids enrolled in the program now have successfully improved their school grades each and every quarter.

The Gangbusters program began with an initial enrollment of 200 students, and that was after a 15-second commercial. Now its numbers exceed 5,478 students a year and a half later and is growing at a rate of a minimum of 100 students per week. It has as documented success rate, as I said, of 97 percent improvement in grades.

What makes the Gangbusters program so successful? Why are kids and their families getting involved and staying with the Gangbusters martial arts program? Again, in that folder I gave you are about 100 testimonial letters from parents and kids, from teachers, principals, superintendents, and political figures attesting to the program, why it works for them.

When I was young, I was raised in the ghettos of New York. My family was poor and I lived in the backseat of an old Plymouth a good period of my life. For meals, we had oatmeal once a day. If I had it more than that, I had it a lot.

I started hanging out with the wrong type of kids, the wrong type of guys and I became a pretty good enforcer. I busted heads with the best of them, sometimes even better.

En route between where I lived and where I went to school was as martial arts school, and every day for about a year I stood outside after school and watched through the windows. Whether it be freezing or pouring rain, I would be out there. I was simply fascinated by it.

The instructor came out one day and asked if I wanted to take classes. I told him I was real poor and couldn't afford it. He said I didn't ask you if you could afford it, I asked if you wanted to take classes. I said sure. He said go home and get your parents and come back. I did. The next thing you know, I was studying. That was at 11 years old. At the age of 13, the community got together with the instructors and I made my first trip to Japan. Since then, I have trained for 21 years in Japan.

Although Webster's dictionary defines a gang as a group of criminals or hoodlums who ban together for mutual protection and profit, it should be noted that the average gang member does not fall under this definition. Ten percent of each gang are hard-core members, who most of them will never change, and the remaining 90 percent are want-to-be's or those who just want to belong to something.

Kids of all ages, male and female, poor or rich, join gangs for any of several reasons. Some of the reasons include wanting attention, wanting to belong to something, wanting power, lack of supervision at home, lack of activities, lack of positive role models and unsafe conditions in neighborhoods and schools.

We at Gangbusters have found that by teaching traditional martial arts to the students, together with at least one parent, we are accomplishing the impossible. First, by having the student and his parent train together, we are bonding the family unit tighter and closer than they ever were.

Parents who are unable to actively train with their son or daughter learn by watching and listening to all the instruction given in each and every class. The family is now training as one unit and

not two separate units. They are learning to work with each other and to help each other, probably for the first time in their lives, with a mutual goal in mind.

Parents learn to talk to their children and not at them, and to understand their children's feelings. The children, on the other hand, learn to work closer with their parents, they start to understand their parents' feelings and respect what their parents say, which again is probably for the first time in many years.

Traditional martial arts as taught by Gangbusters teaches the students to have respect for themselves, their parents and anyone they may come in contact with. It teaches the parents to respect their children and others, along with building respect in themselves.

Through the discipline of our martial arts program, both students and parents learn to take control of their lives. They learn to overcome obstacles in their daily lives in a proper way, and not to be defeated by anything. Where motivation doesn't exist or there is very little, we are able to motivate both the parents and students to their maximum potential, for we believe that the only limitation a person has is that of the one he sets for himself. Anything can be accomplished, if you are willing to work hard enough for it.

Through the training and respect, discipline and motivation, the students and their parents' self-esteem rises to an extremely high level. You see, martial arts training is for the perfection of the total person. Self-defense ability is only a byproduct of its training.

In closing, I want to add that children are the lifeline of our culture. They make us laugh, they make us cry. They remind us of a time of innocence and purity. It is through the children that we are able to see our innocence and our inquisitive nature. As adults, we yearn for the years and the days when we would wander around the wonderful world of a backyard, exploring and creating stories, epics of fantasy, where we were kings of the land. We would conquer evil and shine light in places that were once shadowed with darkness, bring peace and harmony to the world.

We must make strides to allow our children to be children. If we teach by example, then we must learn honor and set an example for our youth. We need to be the gentle giants guiding our children to a better future. Each of us must strive to live life for all life, instead for our own survival. We must strive against racial barriers and gangs, not each other.

Senator DECONCINI. Thank you, Mr. Sharpe.

If any of the members of the panel need to go on to other appointments, since this is taking a little bit longer than we had anticipated, I understand, and you certainly may be excused.

Thank you, Mr. Sharpe, for your background. I am familiar with your program and it has accomplished a great deal.

Mr. Mullen, we are very pleased to have you, from Amity House, one of the nation's nationally successful and innovative programs in drug treatment. We are glad to have you with us. You may proceed and summarize your statement, please.

STATEMENT OF ROD MULLEN

Mr. MULLEN. Thank you, Senator.

I want to echo the appreciation for you and your tireless work in this and on many other issues for our community. I now that Sheriff Dupnik talked about how you have been a patron of the needs for law enforcement, but I think a lot of people in our community don't know that you almost single-handedly put into national legislation programs for addicted mothers and their children, which I think has become one of the most important new program initiatives out of the Federal Government, and which speaks immediately to the issue of preventing violence, because we prevent violence by really getting to these children who are the most prone to violence, to criminality, to drug abuse immediately during their infancy, and working with their parents to build strong families. So I want to congratulate you on the leadership role you have taken. Of course, that has worked in our community, where we have several of those programs functioning today.

Senator DECONCINI. Thank you.

Mr. MULLEN. I have a 27-year history with drugs, gangs and violence. In the 1960's, I worked with members of New York and New Jersey street gangs. In the 1970's, I worked with the members of the Mexican Mafia, the Black Gorilla Family, the F-14's in California, and in the last 12 years I have worked in Arizona with the Arean Brotherhood, Crips, and Bloods, and, unfortunately, the children of many of the people that I worked with when I first started.

As you know, Amity runs a number of different programs for adults and children here in Tucson and also a prison program in California. Unfortunately, I must say to you today that in the last year we had to close three of our programs for serious adolescent offenders, because there were no funds and a real lack of interest in programs. We were one of the few programs in Arizona that worked with serious criminal juveniles, and over 50 percent of our programs for minority youngsters. The loss of those is a tragedy in our State and kind of reflects the indifference that we have.

In the quarter century I have been involved in this, I have seen us make the same dumb mistakes over and over again. Here in Tucson, as in the rest of the United States, we are like a bunch of idiots who keep trying to fight a malaria epidemic by buying a lot of bug spray and by trying to treat victims, rather than draining the swamps, which is the only way we are ever going to really get a handle on the problem.

Every year, we have some great idea that is going to solve the problem. In the 1980's, we decided to spend billions of dollars on law enforcement, interdiction, and the most expensive prison expansion program in the history of the world. To the rest of the people, we said "just say no."

Well, here we are in the 1990's, we have got more people incarcerated than any other nation in the world and more black men incarcerated than South Africa, which has been denounced as a racist society for the past 10 or 15 years. No matter how good our programs are, no matter how good our police are, we are not going to really make much of a difference until we begin to drain the swamp, until we really begin to address root causes.

I want to pick up the suggestion that was given earlier by Sheriff Dupnik that you think of a national commission to study the root causes of crime and violence. I know these studies, to some extent

there is cynicism about them, but I think the time is really right. I think the consciousness is not only here in this community, but nationally, that we are losing ground and we are losing it very, very quickly.

There are an awful lot of people in this country that are subjected to the kind of fear that Ms. Ramirez was talking about, the drive-by shootings, the random violence, and I think it is time now for some national leadership, and I really hope that you would further that.

Thirty-five years ago, a noted sociologist, Harry Bromfenbrenner pointed out in an important book that we were losing the conditions in our society that make human beings human. Making somebody a human being is not genetics, it is culture, and it requires an enormous amount of time and involvement by adults in the lives of children. Yet, year after year, decade after decade, we are becoming more fragmented as a society and our children are really left alone, and we should not expect anything other than what we saw in "Lord of the Flies," and we are getting it.

Gunshot wounds are the second leading cause of death for high school aged children in the country. Are we alarmed, when we learn that the rate of violent juvenile crime increased 27 percent between 1980 and 1990? We should not be. Juvenile heroin and cocaine arrests jumped 713 percent in the same period, and for African-American teens, it increased 2,373 percent. We shouldn't be surprised by the level of juvenile violence, because it fits exactly with the increase of juvenile drug use and the lack of education and poverty.

Before we knock gangs, let's talk about what they do and why 9,000 children in Arizona belong to them. They provide a sense of family, sometimes the only family these kids have. They provide a sense of belonging that these kids desperately need. They give a sense of inclusion for people who have been excluded, and as they look into the future and their role model and see them marginalized and excluded in their adult lives.

Before we knock gangs, we had better figure out an alternative for gangs, and it isn't jail. We have got to find something that is stronger, that is better, that is more attractive than gangs, or the gangs are going to continue and they are going to get larger, because they fulfill an important social function, albeit a very negative one.

In Arizona, I want to point out that we are transferring more children to the adult courts than any other State in the Nation. Last year, we transferred 212, and those were not violent criminals. Most of them were for property crimes, 116 were Mexican-Americans, 32 black, and this is definitely a case of racial bias.

Girls arrested in Arizona have almost no options for treatment. Those who are arrested and need intensive treatment very frequently go to programs where they are put on Prozak, which is associated with suicide in adults and adolescents.

In the last 10 months, one juvenile probation officer had 10 Chicano girls give birth to babies while she was on her caseload and had no resources for those children. What do we think is going to happen to those children? What do we think is going to happen? Are we really talking seriously about youth crime and violence, or

are we again ignoring the problem like we did, as you pointed out, sir, in the 1960's?

I also want to suggest to you that we have a huge national fallacy, which we can have a terrible life for our children and a wonderful national economy. Twenty percent of the children in this country live in poverty, 45 percent of the children who were born in 1990 had mothers who had not completed high school, who didn't have jobs and were teenagers.

We have to really address the roots of these problems and not just come up with another neat whiz-bang gimmick which we will find out 20 years from now didn't work.

[The prepared statement of Mr. Mullen follows:]

TESTIMONY TO U.S. SENATE JUDICIARY COMMITTEE, SUBCOMMITTEE ON JUVENILE JUSTICE, HEARINGS HELD BY SENATOR DENNIS DECONCINI IN TUCSON, AZ ON JUNE 2, 1993 AT PUEBLO HIGH SCHOOL
Testimony on Youth Violence by Rod Mullen, Executive Director, Amity, Inc.

"It takes an entire village to raise a child." African proverb

"The man outside the polis is either a god or a beast" Aristotle

"It is the simultaneous withering of economic opportunities and intensification of consumer values that has made the urban drug culture both so alluring and so difficult to dislodge through conventional policies. Rapidly constricting economic opportunities have severely weakened the indigenous institutions and traditions of poor communities, and the weakening of those institutions, in turn, has helped make possible the rise of a violent and materialistic street culture." Elliot Currie, **Reckoning**

"I got my twelve gauge sawed off, an' and I got my headlights turned off,
I'm about to bust some shots off, I'm 'bout to dust some cops off.
Die, die, die, pig, die.." "Cop Killer" Ice-T.

I would like to start by thanking Senator DeConcini for holding these hearings. This reflects Senator DeConcini's continuing interest in the vital concerns of this community. Sheriff Dupnik earlier thanked Senator DeConcini for his stellar work in supporting law enforcement here along the U.S./Mexican border, which is now the highest drug importation area in the U.S. Similarly, I would like to thank Senator DeConcini for something that he is probably less well-known for, but in which he has taken a similar national leadership role: that is the provision of effective drug abuse treatment services for particularly underserved and vulnerable populations. How many of you in this audience know that it was Senator DeConcini who brought drug treatment to the Pima County Jail through the nationally-known Amity/Pima County Jail Program? How many of you know that

Senator DeConcini almost single-handedly began federal programs for addicted mothers and their children? The latter has become one of the most important new program areas for the U.S. Department of Health & Human Services. Certainly here in Tucson, we have profited by this federal initiative in having several federally-funded programs for addicted mothers and their children. Programs for addicted mothers and children goes to the heart of youth violence prevention. Addicted mothers are unlikely to raise normal, healthy, well-adjusted children. These children are very likely to grow up to be criminals, drug abusers, and prone to violence. In providing effective treatment, Senator DeConcini has become a spokesman for the most effective prevention - working with the highest of high-risk groups and providing effective treatment services for the mothers and medical, behavioral and socialization services for the infants and young children. When we teach an overwhelmed addict mother how to become an effective mother, we have probably saved federal, state and local taxes in the millions during the lifetime of that child.

I have a 27-year history working with drug abusers, gang members, and violence. In the 1960s, I worked with members of New York and New Jersey street gangs - all of whom had significant heroin addiction problems along with their criminality and violent behavior. In the 1970s, I worked in California with members of the Mexican Mafia, Black Guerrilla family and F-14s. In the past twelve years here in Arizona, I have worked with the Aryan Brotherhood, La Eme, Crips, Bloods, and other gangs - and I am sorry to say - I am now working with gang members who are the children of gang members that I worked with in the 60s and 70s.

As you know, Senator DeConcini, Amity runs a number of programs - about 16 in all - for substance abusers; criminal justice/treatment programs in jails and prisons (and for probationers); programs for adjudicated adolescents; programs for pregnant mothers and addicted mothers and their children; AIDS prevention programs for IV drug users and their sexual partners; programs for homeless substance abusers; and prevention programs for school aged youth. Relevant to today's meetings, I am sorry to say that in the last year, we have had to close three of our four programs for serious substance-abusing adolescents who are involved in the criminal justice system. We have been providing these services in Arizona for nine years and consistently had more than 50% African American, Native American, and Mexican American enrollment (we were the only residential program for substance abusers with that high of a minority enrollment in Arizona). They

were closed not because a lack of need, but a lack of state funds and a lack of state interest in the problems of these children. Many of the kids we serve are involved in gangs, carry weapons, and have been involved in violent, predatory crime.

Senator DeConcini, in the quarter century that I have been involved in the battle against drugs, criminality, violence, and irresponsibility, I have seen the same mistakes made over and over again. Here in Tucson, as in the rest of the U.S., we are acting like a bunch of idiots trying to fight a malaria epidemic by buying more and more bug spray to kill mosquitoes and by spending more and more on medications to treat victims. In the meantime, we never drain the swamps that surround us which produce the mosquitoes that carry the disease!

Every few years, we have some great new idea, some great new gimmick, which will save use from drugs, violence, and crime. In the 80s, we spent billions on law enforcement, interdiction, and the most expensive prison expansion program known in history. We told everyone else, "Just Say No!" Well, here we are in the 90s with more people incarcerated than any other country in the world, with more black men locked up per capita than South Africa, and with drugs, violence and crime (especially amongst the young) continuing to escalate.

No matter how good our programs or our police, we are never going to make much progress until we begin to drain our own swamps - until we begin to address the roots of our problems. Earlier today, Sheriff Dupnik suggested a national commission to study the problem of "root causes" of violence. He said he thought the root causes of most socially dysfunctional or maladaptive behavior were the same. Further, Sheriff Dupnik, with his many years of law enforcement experience, said that the solution to our problems is not in simply more policing, more law enforcement, or more interdiction. He, like more and more law enforcement professionals in the country - including our U.S. Attorney General, Janet Reno - are coming to the conclusion that we have to start looking elsewhere for solutions.

Thirty five years ago, sociologist Uri Bronfenbrenner stated in his book Two World of Childhood that, "If the institutions of our society continue to remove parents, other adults, and older youth from active participation in the lives of children, and if the resulting vacuum is filled by the age, segregated peer group, *we can anticipate increased alienation, indifference,*

antagonism, and violence on the part of the younger generation in all segments of our society - middle class children as well as the disadvantaged.." In short, we are losing the conditions in our affluent society for "making" human beings human. The process of becoming human is a very slow and intensive one which requires continuous, intense involvement by adults in the lives of children in many settings for many years. This is opposite to the direction that we have been going for the past 100 years in our country. We are beginning to reap the questionable benefits of our social marginalization and segregation of children.

Over two thousand years ago, Aristotle pointed out that "the man outside the polis is either a god or a beast." By polis, Aristotle meant the all-encompassing, tightly-knit community which provides the social matrix for families which are involved in the critical role of child rearing, child education, and child socialization. Our experience in the past decades proves Aristotle correct——serial killers, sexual criminals, gang violence, increased rape, and other violent crimes show the bestiality of those excluded from community and family.

Despite our rhetoric, our society is doing less for children every year. Women and children are slipping below the poverty line faster than any other group. By 1990, 20% of the children in America lived below the poverty line. Of the 1.7 million children who were born in 1990, over 45% were in a "family" in which the mother had not completed high school, was unmarried, or was a teenager herself. Somehow or another in our country, we have developed the rhetoric that we have no money to spend to improve the lives of our children. Somehow, we have developed the idea that we cannot afford it, that it would ruin our economy. Is it more important to us to find 500 billion dollars to bail out savings and loan institutions that failed than to support low income women and their children who might succeed with a modicum of support? Do we really think that we can fail at raising one out of five of our children into mature, functioning, productive adults and have a successful economy?

Are we shocked that gunshot wounds are the second leading cause of death for high school-aged children in the U.S.? Are we alarmed when we learn that the rate of violent, juvenile crime has increased 27% between 1980 and 1990? We should not be. During that same period, juvenile heroin and cocaine arrests jumped by 713% and the rate of increase for African/American teens increased 2,373%!! Drugs and violence go together just like violence

and poverty go together. The handwriting has been on our wall for a long time, but we have not been reading it.

We are still not reading it. We cannot change our endemic drug use, violence, and criminality until we begin to face the fact that we are not providing the conditions necessary for many of our children to become adult human beings. We can and should judge our society or any other society by how well children are reared. Using that judgment, we are doing very poorly as a nation. We continue to be plagued by racism, poverty, and a lack of educational opportunity for far too many of our young citizens.

A word about gangs. Why are an estimated 9,000 kids in Arizona in gangs? Before we knock the gangs for their violence and for their promotion of anti-social values, we should look at them and ask ourselves, "What need do they fulfill?" Gangs provide a social structure for our disenfranchised kids; they are "family" for those who have none; they provide the sense of belonging that these youngsters have never had; they do not discriminate against people of color; they include those that have been excluded; they give a sense of pride to those who have no dignity; they provide role models for those who have none; they provide rights of passage into adult roles in a society which has none. Before we knock gangs, we had best look at why they are there, and what needs they are fulfilling. We are not going to end gangs by rhetoric, we are not going to end gangs by scaring them, arresting them, or incarcerating them. We are going to have to end gangs by building inclusive communities with educational and employment opportunities and a sense of fairness, structure and inclusively that is believable and credible.

By the way, Senator, I want to bring to your attention the remarkable job that the Tucson Urban League has done in combating drugs, gangs, and violence in Tucson, and in helping to build a healthy community in a very disadvantaged area of our city. The Urban League has addressed the problem in a holistic manner, working with youth, with their parents, helping elders, developing pre-school programs to prevent dysfunctional behavior in later years, developing community policing, and giving people who were hopeless a feeling that changes can be made in their neighborhoods.

You should know, Senator DeConcini, that in Arizona we are transferring more children to adult courts and to the adult correctional system than any other state. Last year, 222 youngsters were transferred. Of those, 116 were Mexican American and 32 were African American. Again, this reveals the

racial bias in our criminal justice system. You would think that these young criminals are being transferred because they are exceptionally violent. However, many if not most are transferred for property crimes. Few, if any, of these kids were offered a chance for treatment, a chance to change their lives, a chance to learn the skills necessary to "mainstream" into society. When they do go to adult prisons, they must be isolated from adults, by law, so many of them do long sentences in isolation like our most hardened adult criminals. Do we really expect them, when released, to be better citizens as a result of this? Do we forget that the Mexican Mafia was formed by young gang members in the California Youth Authority? Are our current policies really designed to fight gangs or to promote gangs?

For seriously delinquent girls (usually gang members and drug abusers) who get transferred to Arizona's juvenile corrections, there are few options for education and treatment. Only a few beds exist in the state. Some of these girls get treated with psychotropic drugs such as Prozac, which raises real questions since that drug has been associated with suicidal ideation and behavior. In the past six months, one juvenile probation officer told me that he had ten girls on his caseload who are pregnant and gave birth to babies, but there were no services available to him for these teenage, drug using mothers and their new infants. Do we really expect these children, born to these completely unprepared mothers, to grow up and be good citizens of our state and of our nation? Aren't we simply preparing the next generation of drug users and criminals?

Senator DeConcini, I hope that you, on your return to Washington D.C., will help in the "paradigm shift" that must take place in looking at the "swamp" instead of merely throwing money at the symptoms. Our country, to prevent the kind of juvenile violence that imprisons many of our citizens in their home in absolute fear, must begin to make the establishment of healthy communities in which the full development of children is the central value the most important item on the national agenda. We cannot let cynical economists or special interest groups deter us from making the kind of national policy that will begin to restore our communities and begin to address the endemic violence, drug abuse, and criminality that threaten our viability as a nation.

ROD MULLEN
Executive Director and CEO
Amity, Inc.

74-122 0 - 94 - 9

Mr. MULLEN. I want to close my remarks, which I tried to rush through, because I would like to just introduce for 1 minute Eddie Frajoe, who kind of really represents some hope in a lot of very mean statistics. He came out of this community, he grew up here right in this neighborhood. He was a gang member, he was involved in violence, he was incarcerated. I am now very proud to say he is really a father to a lot of people like himself.

Eddie, could you just say a couple of words?

Mr. FRAJOE. Hello.

Senator DECONCINI. Hello, Eddie.

Mr. FRAJOE. When I was 2 years old, my mom went to prison for 5 years——

Senator DECONCINI. Eddie, I will tell you what, if you do not mind, why don't we have you join the next panel, which is a panel of former gang members. Would you mind just staying up there? We are running out of time here and I have got to have some time for the former gang members, and that is what you could help us with. Can you just stay?

Mr. FRAJOE. Yes.

Senator DECONCINI. Thank you very much. [Applause.]

We are going to take a 5-minute break here.

[A short recess was taken.]

Senator DECONCINI. The next panel can give us a better understanding of former members of gangs. I don't think the public in general, and certainly not this Senator, really has an appreciation of why gangs are as attractive as they are, why they do some of the things that they do and what happens when you get into a gang and what happens or how do you get out of a gang.

So what I would like each of you to do, if you could, is take a few minutes, like 3 minutes, and tell us a little bit about how you happened to get into the gang, why you liked it, what it did for you, and then, of course, why you got out.

We will start with you, Rocco.

PANEL CONSISTING OF ROCCO D'ARPINO, ROBERT HERNANDEZ, CHRISTOPHER JONES, ROSIE HERNANDEZ, ALEJANDRO R. VILLA, RUDY HUERTA, CINDY RAMEREZ AND EDDIE FRAJOE

STATEMENT OF ROCCO D'ARPINO

Mr. D'ARPINO. I would say that the main reason that I got into a gang was the fact that we are real close and he got stabbed. He was already a gang member. He got stabbed and almost lost his life.

Senator DECONCINI. He was already in the gang?

Mr. D'ARPINO. Yes, and he almost lost his life and I figured, because I wanted to get them back and the only way that I could get them back is—the fact was I knew I couldn't take down the whole gang by myself, so if I joined the gang and I was down with the gang and I got into boxing with the other gang a lot more often, I could get back at them a lot easier, and because of the fact that it was just—it was like back-up all the time.

You know, because everybody else already had back-up, a lot of friends, it was like if they came up and started a fight with me and I started to step up to one-on-one, a lot of guys would come in. This

way, you know, if I got jumped, they get jumped back. Being in a gang is just like a reassurance, like you have got boys behind you, you have got people who care about you all the time.

You know, like your parents, they care about you, like the way I was, my parents cared about me. But when we got in a fight, you know, when you get in a fight with your parents, it is like you have got no place to turn to. When I got in a fight with my parents, you know, they were always there. It was just like they were a second family, they were always there. There was nothing I could do.

Senator DECONCINI. So the reason you got in the gang is so you could help your friend and also so you had protection?

Mr. D'ARPINO. Not protection, really.

Senator DECONCINI. You had these friends that would help you get somebody, when you had to get somebody back?

Mr. D'ARPINO. It is not exactly protection. It is just kind of like backup, not protection, because you can protect yourself. There are plenty of ways to protect yourself. It is just the fact that it is not what you can do, you know, it is not what you know, but it is who you know.

Senator DECONCINI. So what did you get out of being in the gang? What was good about it for you? What was positive?

Mr. D'ARPINO. About being in a gang?

Senator DECONCINI. Yes. There must have been something that you liked about it, friends or——

Mr. D'ARPINO. I guess friends being down for each other. It seemed like if somebody else had a problem they would turn to me, and it would be like, you know, these guys jacked me last night, let's go get them. It was just kind of a thing to where I was there for them and they were there for me.

Senator DECONCINI. Then why did you get out, and how did you get out?

Mr. D'ARPINO. I got out by getting corded out, which is fighting my way out.

Senator DECONCINI. Fighting your way out? What does that mean, you had to fight the whole gang or you had to fight somebody or—did they leave you alone or did they bother you after you got out?

Mr. D'ARPINO. No, I am still friends with them. I still associate with them, because they realized why I needed to get out. One reason was the only thing was I was the only guy of light skin. I was an Italian in an all Mexican gang and that didn't go too good, so that was one reason. It was as fact that I had to prove that I was down for their color, for their race and I did that and they let me in, and I have proved that and they knew that. So now when I see them, it is what's up, you know, there is nothing——

Senator DECONCINI. And what made you get out?

Mr. D'ARPINO. I got into some trouble, and like everybody, my whole family, everybody just started to disown me. I spent some time in jail and all my family just started to look down on me. I had calls from a lot of my relatives looking down on me real bad, and it was just all the pressure of everything. Then I got into some positive things and, you know, I wasn't sure if I wanted to get out. I talked to some people. I talked to the leader and I said I need to get out, and he said I knew you were going to come to that, he said.

Senator DECONCINI. Are you in school now?

Mr. D'ARPINO. Yes.

Senator DECONCINI. Good. Thank you very much.

Robert, can you tell us a little bit about how you got in the gang and why and what it did for you?

STATEMENT OF ROBERT HERNANDEZ

Mr. HERNANDEZ. I had a friend, we were real close friends with my cousin. I had a few friends that were getting into it and they were in it from the heart, you know, from where they grew up, where they came from, you know, from the barrios there, their neighborhoods, their families in it. That is how they got in it.

I got in it because I became friends with these people, but I wasn't down from the heart. They are, because they grew up with this. It is their family. They will die for it. I thought maybe I could do this, too. I got corded in. I figured this is what I want. I didn't realize what I was getting into.

Senator DECONCINI. How old were you when you got in the gang?

Mr. HERNANDEZ. How old was I?

Senator DECONCINI. Yes.

Mr. HERNANDEZ. I was about 13.

Senator DECONCINI. And did you jump in and have to fight to get in?

Mr. HERNANDEZ. Yes, I had to fight my way in. You know, it really——

Senator DECONCINI. How long were you in the gang?

Mr. HERNANDEZ. About a year and a half, maybe.

Senator DECONCINI. What happened while you were in the gang?

Mr. HERNANDEZ. Excuse me?

Senator DECONCINI. What happened to you while you were in the gang?

Mr. HERNANDEZ. My grades started falling, I started losing friends, fighting a lot, making just a lot of enemies. One time I got in a big fight at the mall and I got shanked twice in the back. To some people, they say that's nothing, you got shanked, so what, you haven't got shot or nothing. It is pretty scary. It came like a centimeter from my heart and one almost punctured my lung. I could have lost my lung and I could have died. I was losing a lot of blood, because I didn't know that I got stabbed, I was so pumped up, you know.

I hurt my family a lot, you know. To me, my family is the most important thing in my life, more important than anything. That is my real family. My mother, my family, it comes first. That is why I got out, also because I have something to live for. I was a positive leader before I got into this stuff, and now I guess it is just not there for me any more. It just was not. I just started losing it. I didn't come from the heart. There are some people here, you know, it is number one for them and they will never leave, because, like they say, it is porveda, for them it is going to be there always. I guess for me it just wasn't, because I didn't come from a straight-out neighborhood. I grew up there thinking like that. It was just something that was not porveda for me.

Senator DECONCINI. Did they give you a hard time when you got out?

Mr. HERNANDEZ. Yes, they were pretty pissed, pardon my language, but——

Senator DECONCINI. Do they harass you or anything once you get out?

Mr. HERNANDEZ. No.

Senator DECONCINI. They leave you alone?

Mr. HERNANDEZ. They gave me a good cord out, but they knew, you know, when you've got to go. I told them, hey, I was down for my say, this isn't me, if you want to kill me, you can kill me, if you want to cord me out, cord me out, do what you've got to do, but I am going out.

Senator DECONCINI. What are you doing now?

Mr. HERNANDEZ. What do I do now?

Senator DECONCINI. Are you going to school?

Mr. HERNANDEZ. Yes, I am going to school. I rank number one in the state in wrestling.

Senator DECONCINI. Are you?

Mr. HERNANDEZ. Yes.

Senator DECONCINI. Congratulations.

Mr. HERNANDEZ. Yes, I took second in the state championships this year. I am going to a national wrestling championship this summer. [Applause.]

I am pretty sure, if I keep my grades up, I will get a full scholarship somewhere for wrestling. I am playing football and my last term was really great.

Senator DECONCINI. What year are you in high school?

Mr. HERNANDEZ. Excuse me?

Senator DECONCINI. What year are you in school?

Mr. HERNANDEZ. I will be a junior next year.

Senator DECONCINI. Thank you very much for coming forward, and good luck on your continuation. I am glad to see you.

Christopher, what can you tell us about why you were in the gang and left? Your brother is in the gang, too, right?

STATEMENT OF CHRISTOPHER JONES

Mr. JONES. My cousins were in the gang.

Senator DECONCINI. You were in the gang?

Mr. JONES. I was in the gang with my cousin. I originally got involved in gangs growing up in New York. I jumped in when I was 9 years old, because it was pretty much a family thing. All of my cousins and everything were in gangs and they always put me under pressure and wanted me to get in a gang, you know. I was pretty much scared, because without my cousins and stuff like that to back me up, I would probably get beat up a lot, so I got jumped in the gangs.

Senator DECONCINI. How long were you in the gang?

Mr. JONES. About 2 or 3 years.

Senator DECONCINI. Here in Tucson?

Mr. JONES. In Tucson about 2 or 3 years, too.

Senator DECONCINI. Two or three years, too. What was the difference between the gangs where you came from and here, any big difference?

Mr. JONES. Up in New York, the reason why I moved on here to Tucson, I came down to live with my mom because in the gangs up there I almost got killed about 2 weeks before I came down here, because my cousins and me were out having fun and my cousin got shot up and they almost killed me, too. I got stabbed in the leg. I guess that is the reason my grandmother sent me down here to live with my mom, to try to keep me out of trouble, and I got involved more in gangs here, too. It wasn't really as scary as it was up in New York.

Senator DECONCINI. How did you get in the gang here?

Mr. JONES. In the gang here?

Senator DECONCINI. Did you meet some people or friends or what?

Mr. JONES. Yes, my friends.

Senator DECONCINI. Friends?

Mr. JONES. Yes.

Senator DECONCINI. And did you have to jump in and fight to get in?

Mr. JONES. Yes.

Senator DECONCINI. You did?

Mr. JONES. Yes.

Senator DECONCINI. And what did you get out of the gang that was good, anything?

Mr. JONES. What did I get out of being in the gang?

Senator DECONCINI. Yes, how did it make you feel?

Mr. JONES. A lot of people respecting me, because I was in a gang.

Senator DECONCINI. And what happened in school? Did you get kicked out of school, or were you able to stay in school?

Mr. JONES. Yes, I was able to stay in school, except recently I got kicked out, I got expelled from school.

Senator DECONCINI. You got kicked out of school?

Mr. JONES. But it didn't really have anything to do with gangs.

Senator DECONCINI. It was other things. And what made you get out of the gang?

Mr. JONES. Getting out of the gang is that group John Sharpe was talking about, Gangbusters, I got into that.

Senator DECONCINI. Martial arts?

Mr. JONES. Yes, martial arts stuff, I got into that.

Senator DECONCINI. Is that one of the conditions, that you had to get out of the gang?

Mr. JONES. Yes.

Senator DECONCINI. And you like the martial arts?

Mr. JONES. Yes. Well, I have been in it for a while. I used to be a kick-boxer. I used to do kick-boxing.

Senator DECONCINI. Are you pretty good at it?

Mr. JONES. Pretty much.

Senator DECONCINI. Now, when you got out of the gang, did you have to fight your way out?

Mr. JONES. No, my cousins understood what it was about. They understood why my grandmother was sending me away, because it was pretty much family, like I said.

Senator DECONCINI. Is your cousin in the gang still?

Mr. JONES. All of my cousins were there, lots of them, friends and they all understood, because I had no choice, I had to move down here, anyway.

Senator DECONCINI. Why do your friends stay in the gang? Do you have any idea?

Mr. JONES. I really don't know. All of my friends are in gangs.

Senator DECONCINI. Do you talk about the gang, or once you are out do they stop talking about it?

Mr. JONES. We don't talk about.

Senator DECONCINI. You don't talk about it.

Mr. JONES. I just kick back with them like that.

Senator DECONCINI. Are you in school now?

Mr. JONES. Yes.

Senator DECONCINI. And how are you doing?

Mr. JONES. I'm doing all right.

Senator DECONCINI. You're doing all right?

Mr. JONES. Yes.

Senator DECONCINI. Good.

Thank you very much, Christopher, for coming here.

Rosie, thank you for coming here, too. Can you tell us a little bit about why you went into a gang and what you got out of it?

STATEMENT OF ROSIE HERNANDEZ

Ms. HERNANDEZ. First of all, in a gang I associated with the gang members.

Senator DECONCINI. You were never in a gang?

Ms. HERNANDEZ. No.

Senator DECONCINI. OK.

Ms. HERNANDEZ. No, but I do to this day associate with the gang members. The reason I did not jump into any gang is because I associate with both Bloods and Crips or other gang members.

Senator DECONCINI. You say you associated. What does that mean, you go around with them, but you don't have to jump in or fight to get in?

Ms. HERNANDEZ. I don't fight to get in, no.

Senator DECONCINI. But you weren't a member?

Ms. HERNANDEZ. No.

Senator DECONCINI. What is the difference? Do they let you go and hang out with them; but they don't make you become a member?

Ms. HERNANDEZ. They ask me today if I want to get jumped into the gang. It is tempting. I at times wanted to say yes, but I haven't.

Senator DECONCINI. Was this a girl's gang?

Ms. HERNANDEZ. Yes—well, you can't really call it a girls' gang, because both boys and girls are in the gang.

Senator DECONCINI. Boys and girls are in the gang?

Mr. HERNANDEZ. Yes.

Senator DECONCINI. Is that right, Christopher, there are girls in your gang, too? They don't have separate gangs for girls?

Mr. JONES. Like in New York, no, there weren't any girls, but down here there are a lot of them.

Senator DECONCINI. Rosie, here they don't have separate gangs for girls?

Ms. HERNANDEZ. Not that I know of, no.

Senator DECONCINI. It's the same?

Ms. HERNANDEZ. Yes. There are different gangs.

Senator DECONCINI. And were you able to go with the gang all the time?

Ms. HERNANDEZ. If I wanted to, yes.

Senator DECONCINI. If you wanted to. Are you still friends with those gang members?

Ms. HERNANDEZ. Yes.

Senator DECONCINI. Did it affect you adversely? Did you do some things that you didn't want to do? Did it hurt your performance in school or anything?

Ms. HERNANDEZ. No, it did not hurt my school, no.

Senator DECONCINI. And do you still go around with the gang?

Ms. HERNANDEZ. Yes.

Senator DECONCINI. Do you think that is dangerous for you, or is that good for you? Do you get something good out of it?

Ms. HERNANDEZ. Do I get—I guess just my friends I meet.

Senator DECONCINI. So you are still hanging around with them?

Ms. HERNANDEZ. Yes.

Senator DECONCINI. Do they get in trouble?

Ms. HERNANDEZ. Well, again, I have been going with them like I used to, I used to go and get in trouble.

Senator DECONCINI. You kind of stay away when they are going to get in trouble?

Ms. HERNANDEZ. Yes.

Senator DECONCINI. Are you afraid that you might get in trouble?

Ms. HERNANDEZ. Because I have before, yes.

Senator DECONCINI. Pardon?

Ms. HERNANDEZ. Because I have got in trouble before, yes.

Senator DECONCINI. You have been in trouble?

Ms. HERNANDEZ. Yes.

Senator DECONCINI. As a result of being with the gang?

Ms. HERNANDEZ. Yes.

Senator DECONCINI. Are you in school now?

Ms. HERNANDEZ. Yes.

Senator DECONCINI. What year are you in school?

Ms. HERNANDEZ. I am going to be a freshman.

Senator DECONCINI. A freshman?

Ms. HERNANDEZ. Yes.

Senator DECONCINI. In high school?

Ms. HERNANDEZ. Yes.

Senator DECONCINI. How long have you been associated with the gang?

Ms. HERNANDEZ. About 2 years.

Senator DECONCINI. Do you want to tell me anything else?

Ms. HERNANDEZ. No.

Senator DECONCINI. Do you have a brother or a sister or anybody else in the family who is in the gang?

Ms. HERNANDEZ. No.

Senator DECONCINI. What do your parents think about it?

Ms. HERNANDEZ. My parents don't really know.

Senator DECONCINI. They don't know?

Ms. HERNANDEZ. No.

Senator DECONCINI. We won't tell them. We won't tell them. [Laughter.]

Rosie, thank you very much.

Eddie Frajoe, do you want to go ahead and tell us a little bit about your background and your involvement with Amity?

STATEMENT OF EDDIE FRAJOE

Mr. FRAJOE. Like I said, it started out to be everyone from my mother, my father, my step-dad and uncle, they all went to prison, which means I really didn't grow up with any guidance.

At the age of 14 years old, I was asked if I wanted to join a gang and I said yes. Instead of being jumped in, I had to fight someone.

Senator DECONCINI. To get in the gang?

Mr. FRAJOE. Yes, who was a lot bigger than I, to see how well I could hold my own.

Senator DECONCINI. So how many did you have to fight to get in?

Mr. FRAJOE. I just fought one.

Senator DECONCINI. One?

Mr. FRAJOE. One, a real big guy.

Senator DECONCINI. It was a real fight, huh?

Mr. FRAJOE. He was a real big guy, yes.

Senator DECONCINI. Did he beat you up?

Mr. FRAJOE. Yes.

Senator DECONCINI. And then you were permitted in the gang?

Mr. FRAJOE. Yes.

Senator DECONCINI. How many were in the gang?

Mr. FRAJOE. 20 or 25.

Senator DECONCINI. And what did you do in the gang?

Mr. FRAJOE. I just went around and went to other schools and caused trouble.

Senator DECONCINI. Were you in school at the time?

Mr. FRAJOE. Yes. I tried to, you know, take the other kids' lunch money from school, just anything to feel like no one could stop us.

Senator DECONCINI. And how many years were you active in the gang?

Mr. FRAJOE. I was only in the gang for about a year. I got shipped off to—I got in trouble and got shipped off to Foster.

Senator DECONCINI. For how long?

Mr. FRAJOE. For 1½ years.

Senator DECONCINI. For 1½ years.

Mr. FRAJOE. I came back and got in trouble with the law and went to jail at the age of about 17½. I turned 18 in there, and from then I went to Amity, which I am in now.

Senator DECONCINI. How did you happen to go to Amity?

Mr. FRAJOE. I was in jail and they put me on IPS when I was in jail.

Senator DECONCINI. IPS is?

Mr. FRAJOE. Intensive Probation Service.

Senator DECONCINI. So they let you out of jail?

Mr. FRAJOE. No, they put me on IPS while I was in jail.

Senator DECONCINI. While you were in jail, and so you went to the program in jail?

Mr. FRAJOE. They have a jail program inside the jail project. I went there and stayed there for 5 months and then went out to Circle Tree Ranch.

Senator DECONCINI. What did the program do for you in the jail?

Mr. FRAJOE. It did a number of things. It allowed me to express how I felt, brought up with no mother or dad, why I thought it was important to prove myself to people and the pros and cons of things that can come out of that.

Senator DECONCINI. And then after that you went into another program at Amity?

Mr. FRAJOE. No, I have been in Amity for 5 years.

Senator DECONCINI. So after you got out of jail, then what did you do?

Mr. FRAJOE. I went to the ranch out on Tinkleberry and stayed there.

Senator DECONCINI. Was that part of the program, the ranch program?

Mr. FRAJOE. Yes.

Senator DECONCINI. How long were you in that program?

Mr. FRAJOE. About 2 years.

Senator DECONCINI. For 2 years?

Mr. FRAJOE. Yes.

Senator DECONCINI. Were you on drugs?

Mr. FRAJOE. No.

Senator DECONCINI. You never were on drugs?

Mr. FRAJOE. No.

Senator DECONCINI. And when you were in that program, how did you get in that program? Did somebody pay for it?

Mr. FRAJOE. No, I don't know who paid for it, the government. They wanted me to go there, my probation officer wanted me to go there.

Senator DECONCINI. When you got out of jail, did you stop hanging around the gang?

Mr. FRAJOE. I went straight from jail to——

Senator DECONCINI. So you were out of the gang really when you went to jail?

Mr. FRAJOE. I have been out of the gang for a while now.

Senator DECONCINI. What are you doing at Amity?

Mr. FRAJOE. I'm a counselor there now with young adult men. We are former gang members who come from similar backgrounds that I came from.

Senator DECONCINI. What did you get out of the gang that was good for you?

Mr. FRAJOE. Acceptance, people acknowledging me for the things I did. You know, I got affirmed for beating other people up or stealing a car or a stereo, you know. You get a lot of affirmation out of it.

Senator DECONCINI. Do you have anything else to tell us?

Mr. FRAJOE. No.

Senator DECONCINI. Thank you very much.

I want to thank you, Rosie. Thank you, Christopher. [Applause.]

Our next panel are current gang members, Ronnie Rios, Ricardo Lopez, Sergio Morales and Valerie Honyumptewa. I want to thank you for taking the time to be here today and waiting so long. You have an opportunity to help us understand what gangs are all about and what you think should or should not be done, what you believe is important about the gang or what you think can be done to improve gangs or to convince people not to join gangs.

We will start with you, Valerie.

Mr. RIOS. I will go first.

Senator DECONCINI. You want to go first.

PANEL CONSISTING OF RONNIE RIOS, RICARDO LOPEZ, SERGIO MORALES AND VALERIE HONYUMPTEWA

Mr. RIOS. One of the biggest problems we have today is the neighborhoods, and the first thing that happened today when we got up here was they labeled us as "current gang members."

Senator DECONCINI. Is that bad?

Mr. RIOS. Well, we are being labeled once again, you know. We are not current gang members.

Senator DECONCINI. You are not?

Mr. RIOS. No.

Senator DECONCINI. Well, thank you for clarifying that. We appreciate that.

Are any of you in gangs, or would you rather not say?

Ms. HONYUMPTEWA. No, we are out.

Mr. RIOS. I am not in no more and we don't like being labeled as "current gang members" or "gang members," period. You know, because we don't understand something, it doesn't make us bad people.

Senator DECONCINI. No, not necessarily at all. It is like, you know, if you join a club, it might be a gang and it might be some other kind of club. Just so I understand, Ricardo, is your point that you just don't want to be designated or labeled as a gang member? You just want to be labeled by your name, that is all?

Mr. RIOS. Exactly.

Senator DECONCINI. OK; thank you.

Valerie, pull both microphones up there, please. I enjoyed talking with you last night, Valerie.

STATEMENT OF VALERIE HONYUMPTEWA

Ms. HONYUMPTEWA. First of all, I want to say that I think a lot of people who were up here earlier said what they had to say and I don't think that is fair, at all. I mean why should we have to come here and listen to them, if they are not going to listen to us? That is what we are here for. [Applause.]

That really got me angry, when I see all of them. This room was packed at 9 o'clock. Look at it now. Where are they? They are at their office. They don't care. That is what they are showing me right now.

One thing I want to say today is what I have been saying and what my main message is, put your money where your mouth is. Last year, Jim Colby was here doing the same thing. This year, Mr.

DeConcini is here. What has happened in that year? Where has that money went? Has there been any Senate bill, anything? I haven't seen any since.

One other thing that a friend of mine brought is these programs that we have, they do the juvenile system, but you have got to commit a crime to get into them. I don't think that is right, either. What about the people that are out there trying to get out, trying to get a life?

Another thing is we talk about putting people in prison for what they do. This is my solution: Out of the 100 percent of the gang members out there, there is only 10 percent that are repeat offenders. Those 10 percent keep the rest of us from trying to get our life straight. I don't think that they should take that whole 10 percent and label all of us.

I think what we need to do is get those repeat offenders off the streets, put them in prison where they belong, because they have been offered that second chance. And you need to start giving us a chance, because the people who say prisons, prisons, prisons, I don't think that is right. I think that is sick. We are not insane people. We do these things because we want help and we cannot come out and say it, and we need these programs that will help us to say that we need help. [Applause.]

We are not bad people. We have hearts just like everybody else. We cry and we feel pain just like everybody else. You get me in a corner and I am going to cry. I am not going to be bad like I am on the street, because I do hurt.

One thing I wanted to tell Mr. DeConcini is, you know, I want you to hire me as a consultant. You want somebody to tell you about gangs? Hire me. It will create jobs. Hire me. I will work for you. I will be at your office tomorrow morning. You give me a pencil and paper and I will get something started for you. [Applause.]

I started hanging out with gang members when I was 13. I am 18 years old right now, and do you know what it took me? It took me to get hit in the face, go to county jail and be really scared. I mean I had to get scared. They had to tell me you're looking for prison time for what I was in there for, which was aggravated assault. I got scared. It scared me.

That is what I mean, a lot of the people out there now that are banging, this hard core, they say no, I don't want out, the reason why they don't want out is they love it. They like what they are doing. They are not getting in trouble for what they are doing. That is how I was. I had that same attitude until I got in jail, until I got scared, until I got threatened. Then reality hit me.

You know, a lot of gangs—I am speaking for myself and the former gang members I used to associate with, and that is they talk about being your home boys and your home girls and being with you all the time. But do you know what I learned? During those 4 years that I met all those people, not one of them wrote me when I was in jail, not one. And I think that is where you learn.

I came out and I told them that, listen, you talk about being my friend, the time that I needed you the most, you are not there for me. That is when I learned, listen, Valerie, they don't care about you. The only thing they care about is themselves. They care about

you when you are out of jail, when you are doing the crazy things you are doing, stealing the cars, beating the people up. Once you go to jail, they don't know you. When you get out, hey, where were you, we heard you were in jail. You know, what happens to that friendship in between there? That is what I learned.

Right now, you know, I am taking a big risk coming up here and talking. But do you know what? I am doing it for myself. I am not doing it for anybody else. You know, when you get out of a gang, they just threaten you. They shot at me. They shot at my car. I have bullet holes in my car. They shot at my car, because they say I am a snitch.

But do you know what? I don't care. I was talking to my friend Valerie earlier and she really told me earlier. I said, Valerie, it scares me because they tell me I am a snitch and nobody wants to talk to me no more. But you know what she told me was that I am doing this for myself, I am not doing this for them. I am not going to be with them all my life. They are not going to beat me, they are not going to call me, they are not going to take care of me.

That is what I am realizing right now, I am realizing that I have got to do this for myself. Either I can hang out with them gang members, go walk in their path and end up in prison, get a bunch of tattoos and come out with this big eagle, or I can go out and meet Dennis DeConcini, get in his office, get a job, get my——

[Applause.]

That is all I have to say. Thank you.

Senator DECONCINI. Valerie, thank you very much. I appreciate your comments very much. You say what happens when you come and you talk with people. I don't know what happened when you did this, whether it was last year. But though the other panelists did not stay, the purpose of this hearing was for the Senate, the U.S. Senate. I wish they had stayed, too.

If I had to do it again, I think I would have had this panel earlier. But the purpose of the authorization of this hearing is so that I can build a record based on some of the things you have told us and some of the things that other people have expressed to us, so we might see if there is anything to do.

I have learned a lot talking to you just last night about consulting, when we spend money on projects. You might say what is going to happen after this hearing. Maybe nothing. Maybe nothing. That is the chance I take or the chance you take, that I can't do anything about it. Maybe I can. Maybe I can ensure that when Federal dollars are spent here to build a recreation center, that they have to have a committee of advisors from the community before they can get the plans approved and started. That is an idea you gave me last night. So I will try to do that. I may not be able to succeed.

People say, oh, you can't do that, you can't involve the community, you have got to get the job done. If I had a job, I would hire you as a consultant. I hope you will come down to my office and talk to my people. We do have internships. They don't pay much, if anything, but they are very helpful to us. Sometimes a job becomes open and most of my staff, including Dennis Burke right here, were interns for me for a long time before we had openings so they could become employees.

So I thank you. Let me just ask you this: Do you find it as offensive when, as Ronnie said, somebody pegs you or designates you as a gang member? Is it offensive that someone says Valerie is a gang member, rather than just Valerie?

Ms. HONYUMPTEWA. I think it does, because you look at Tucson now, 90 percent of the people you introduce me to as a gang member, and they won't talk to me.

Senator DECONCINI. They won't.

Ms. HONYUMPTEWA. You introduce me as Valerie, and they will listen. I am sure the——

Senator DECONCINI. So it is a very derogatory designation?

Ms. HONYUMPTEWA. Yes, it is like labeling a murderer as a sick person.

Senator DECONCINI. One of the reasons we ask the question or want to know, you know, is why do you get into the gang, why do you get out, and why do you stay in. I am not here criticizing, because I don't know. There obviously are some positive things in being a gang member. Acceptance is one, respect is another. Who knows, maybe some protection or safety. You pointed out that when you got in trouble and went to jail, even your gang friends weren't there. That is interesting, because I thought they would be. That is why we designate those who are in gangs or not in gangs, because we try to find out how they think and listen to them.

So thank you very much, Valerie.

Ronnie, what can you tell us? Thank you for last night, by the way, Ronnie. You were very good.

STATEMENT OF RONNIE RIOS

Mr. RIOS. You are welcome.

One of the main reasons I am up here is to talk about the stuff that is wrong, I don't like in the schools and the community. For instance, we never get a fair chance to learn. Certain teachers look at you about the way you dress, you know, they think you come from a bad family, you know, they are not going to listen to me, so they kind of push you away and take the other students first. Help is never offered until it is too late.

For instance, the school I go to, there are several students that could not graduate by only like a quarter or half a credit, because the counselors there did not tell them that they were going to fail, and that is the counselor's job. One of the jobs they have is to tell the people when they are going to fail and what they need to graduate. The counselors that are there, they might change transcript. What about the family problems, what about the stuff that bugs kids, that keeps them from concentrating in school?

Senator DECONCINI. You mean they don't ask those questions or they don't care about those questions?

Mr. RIOS. At the school I attend, no, it didn't happen. Some schools are set up like prisons. You now, they have all these monitors there checking you out for, you know, like your——

Senator DECONCINI. And when you get in trouble——

Mr. RIOS. They have got police there, they have got gates everywhere and all that stuff. They treat us like animals. There might have been a couple people who did things wrong, talk to those

people and mediate them, instead of just kicking them out of school like everybody else does. That is not going to solve nothing.

Senator DECONCINI. I know, but is there any benefit of having some security in the schools, so somebody isn't beaten up who may just be walking along and——

Mr. RIOS. There is to a certain point.

Senator DECONCINI. You think it is too much?

Mr. RIOS. At some schools there is, and the way people treat others, especially kids, like I have seen how teachers look at us different, because we are young or whatever. That is a big thing and people have a big problem with us being young. They don't understand us and that is causing more of a problem.

Senator DECONCINI. So are you saying when you get in trouble in school, there is no counseling, nobody who understands, nobody who wants to talk to you. It is just discipline?

Mr. RIOS. What usually happens when you get suspended from school, you go home for so many days and you come back to school.

Senator DECONCINI. And nobody talks to you while you are gone, nobody says, hey, what's going on, what can we do?

Mr. RIOS. A program that can happen, if a fight or whatever happens, you know, they have got those two people, those two people mediate the problem and talk it out to where they can come to an agreement of what is going to happen.

Senator DECONCINI. That goes on now?

Mr. RIOS. No. It was going on, but then our school didn't allow it to happen no more.

Senator DECONCINI. I see.

Mr. RIOS. One of the organizations that was in there was Family Center and it is not allowed in the school no more.

Senator DECONCINI. When did you join the gang?

Mr. RIOS. When did I? I have grown in them. It is just a part of life.

Senator DECONCINI. It's just a part of life?

Mr. RIOS. Yes.

Senator DECONCINI. You didn't have to jump in and fight to get in?

Mr. RIOS. That was my decision.

Senator DECONCINI. Pardon?

Mr. RIOS. That was my decision if I wanted to or not.

Senator DECONCINI. And you didn't have to, so you didn't do it. You decided not do it——

Mr. RIOS. I did do it, but it was up to me to say if I wanted to or not.

Senator DECONCINI. I understand it is up to you, but is that how you get in the gang? You can't get in, if you don't do that, but it is your decision, right?

Mr. RIOS. Well, there are different ways. It all depends.

Senator DECONCINI. Oh, there are?

Mr. RIOS. Yes.

Senator DECONCINI. I see. How else do you get in the gang, besides so-called jumping in?

Mr. RIOS. I don't know. There are different things for different people, you know.

Senator DECONCINI. Why did you join the gang, Ronnie?

Mr. RIOS. Well, I got my reasons, but——

Senator DECONCINI. Maybe you don't want to tell me. I don't care, I am just interested.

Mr. RIOS. The thing I say is, yes, I was in a gang, I did my share and everything, but I think what really matters now is not what I did in the past, but what I am doing positive for myself now. [Applause.]

Senator DECONCINI. I agree, and I am not here—to criticize why you are in a gang. I am trying to understand and build a record here. There have got to be some reasons that make very good sense to the young people who join a gang or the old people who join a gang or anybody, just as you join any other club or group. There has got to be a reason that you want to do that. I am only trying to find out. I am not here to judge it or to criticize it at all. If it is because your brother was in it, if it is because you can have access to drugs or alcohol or friends or what have you.

Mr. RIOS. When I was going through achievement, I learned a lot of things about cycles and stuff. You know, the cycle that I was caught up in, you know, my friends did it, my dad did it and they had left that there for me. You know, there is nothing left for me, so that is when I got caught up in it. It wasn't my mom's fault, but I got caught, so it was just something I picked up and learned. Like I said, it was as part of life for me.

Senator DECONCINI. Now, when you are in the gang, if you don't mind explaining to me, what is the benefit? What was good about it? Was there something good that you—

Mr. RIOS. I don't know, it was something I was doing.

Senator DECONCINI. Maybe you don't want to tell me, but are you still in the gang?

Mr. RIOS. No.

Senator DECONCINI. And what made you get out? The reason I ask, before you tell me, is that I don't want to know a lot of personal business necessarily, but I want to know why people get out of gangs, what motivates them. Maybe it is a program, maybe it is a policeman who that is friendly, maybe it is an elder person.

Mr. RIOS. The main thing that motivated me was to have more self-respect for myself, my mom and my family. That came first to me, but I was going up and I didn't know that and they weren't always there for me, so I found my own family. And when things started working out at home and within myself, then I could run my life and the gang didn't run my life no more, I did what I wanted, because it was my view.

Senator DECONCINI. And that helped you come to your own decision to get out?

Mr. RIOS. Yes, because most of the time when people are in gangs, they can't make their own decisions and the gang makes the decision for them. But once you have it within yourself, you can make your own decisions and know that they are right and trust yourself.

Senator DECONCINI. As Valerie has said she has had threats and problems, you now, the fact that she got out and came up here and talks about it, has that happened to you, too?

Mr. RIOS. No, it has happened, because I did it and I was able to say yes, I did, I've got my reasons and I took care of what I had to

take care of for myself and I kept going on with life, instead of staggering around, you know, playing. I just took care of it and kept going.

Senator DECONCINI. Are you back in school now?

Mr. RIOS. I have always been in school.

Senator DECONCINI. You never did drop out of school?

Mr. RIOS. I might not have been doing the best job, but I was still in school.

Senator DECONCINI. Did you get kicked out of school or expelled for a little while or anything?

Mr. RIOS. No.

Senator DECONCINI. You never did. How are you doing in school? What year are you?

Mr. RIOS. I am a sophomore. I am going to be a junior.

Senator DECONCINI. Do you go here?

Mr. RIOS. No, I go to Tucson High. I came here my freshman year.

Senator DECONCINI. That is where I went to school. That is where I graduated from. Do you have anything else you want to tell me?

Mr. RIOS. Yes, there are a lot of other things.

Senator DECONCINI. Go ahead.

Mr. RIOS. There is a lack of respect by teachers for students. They treat us like—the other day, I go to summer school, and we came on TV last night, and I tell my teacher, you know, I was on TV last night. He tells me, what did you do, get arrested? That is the first thing he did, was he singled me out. That wasn't fair. If I would not have known the stuff that I know, I probably would have gone up the teacher's face, in fact, they expected me to, but that is not right. Something should be done about that. Every time we complain, nothing ever gets done, because we are kids, and that is not fair.

Also, I think there is a lot of disrespect between students, and people wonder why. Like at my school, there is a lot of racial attention and a lot of it is because we don't understand each other and our own cultures. They are always trying to tell people don't do this, don't do that, for whatever reasons, but they have got to help understand each other's culture before they can say not to do something.

And employment, I want to talk about jobs for kids. There are no jobs for us young people. They always want us to have responsibility, but there is nothing there for us. How can we learn responsibility, if we are not taught it? It is very easy to say we want things to get better, and it all starts at home. But a lot of times things are not OK at home. There is a lack of job skills training and at school we are not learning how to work in high-tech buildings or nothing.

When we go through these programs that are set up for jobs, they just put us somewhere to do work. They don't show us how to do things so we can get better jobs later on in life. They put us with something like to keep us quiet or something.

Senator DECONCINI. Has that been a common experience, when you get a job?

Mr. RIOS. Has that been a what?

Senator DECONCINI. Does that happen all the time when you get a job?

Mr. RIOS. It all depends. They always want experience, but we never have experience or skills.

Senator DECONCINI. But do you have a job?

Mr. RIOS. No, I am looking right now.

Senator DECONCINI. So when you do get a job, they don't train you to do anything more, is that what you are saying, also?

Mr. RIOS. No, not really. When you go and to get the job, you are expected to know it already, that is how you are going to apply for that job. We are also judged by the way we are dressed. A lot of times, people won't give us jobs because of the way we are dressed. They are supposed to stick to the interviews, not what they see us as, because it doesn't matter what we are on the outside. It depends on how we are willing to work on the inside, and that is why they have interviews, right?

Senator DECONCINI. Well, isn't there any basis to the fact that the employers want someone to dress in a certain way and comb their hair and have clean clothes on, if they are going to wait on tables or something? Is that proper?

Mr. RIOS. That is when they have the job, not before. When they get the job, then they have to abide by those rules. They sign a paper, but before they get the job they are judged by the way they are dressed, and that is not fair.

Senator DECONCINI. I see.

Mr. RIOS. That is not fair, because sometimes that is all people have.

Senator DECONCINI. So you are saying that if one comes in dressed nicely and does just as well in the interview, and one comes in dressed not as nicely and does just as well in the interview, the one who is dressed nicely gets the job?

Mr. RIOS. More than likely, yes.

Senator DECONCINI. And that is unfair?

Mr. RIOS. Yes. Also, I think there are a lot of stuff with—this is my closing statement. Martin Luther King and Cesar Chavez are two civil rights leaders that believed in nonviolent acts. One of the things that Martin Luther King said was, "I have a dream." We also have dreams, but you have to allow our dreams to come.

Something that Cesar Chavez said was that he believed in having ideas. A lot of people have already judged us by the way we look or by the way we dress. For instance, we are already labeled gang members up here. You have to start having ideas that we are good people and then make it a reality.

Thank you for having me up here. [Applause.]

Senator DECONCINI. Thank you.

Sergio, thank you for being with us last night and your participation. What do you want to tell us?

STATEMENT OF SERGIO MORALES

Mr. MORALES. Like I said last night, one of the main reasons why people join gangs is because there is no cultural awareness, like where do they come from, what their history is, and most of that, from my opinion, I think that the histories should be passed on

from generation to generation, from grandparents to parents to the kids, and then on and on in the same way.

Senator DECONCINI. Do the gangs help that? The gang you were in, did it help cultural awareness and education that you couldn't get in other places?

Mr. MORALES. Not really, because it is like a big negative thing when you are in a gang. But it is a different thing when you are in a gang or when you belong to a varrio, because a varrio is different than a gang. It is like a more positive thing. You respect a lot more things. You respect yourself, the people around you, your elders. In a gang, it is a lot of negative stuff. There is a difference. I belong myself, I am a part of logga right now. I am an active member in my logga, but I don't belong to a gang.

Another reason why people join gangs is their financial situation at home. They are poor and they will go steal a car stereo and they will get money and the people at home will and they are accepted, and at home there is no money. They eat once a day and then they go—just like bad things, real negative stuff when you come into a gang.

Then the negative media portrayal——

Senator DECONCINI. The negative media?

Mr. MORALES [continuing]. Like the news——

Senator DECONCINI. You mean about gangs?

Mr. MORALES. Yes, like the news will come and they will show a Latino and an Afro-America, they are doing this and this and that is all they show throughout the news. Someone last night said that only minorities get shown and their names and their faces and everything—and I don't mean to put you down or nothing like that, but the other people are——

Senator DECONCINI. They get singled out.

Mr. MORALES. Yes, they get singled out, you now, they get special treatment. Like the movies, the movies come and do all of this like being in the gang is good, in prison, you get things out of prison. It is like to each his own, but that is just not the way it should be.

[Disruption from audience.]

Senator DECONCINI. Go ahead, Sergio. Please let him finish.

Mr. MORALES. Then there are no resources for the community, you know, earlier in the year, me, Ronnie and his cousin Ricardo, we were trying to open the YMCA downtown on 6th Street. That is for the kids to go during the summer, but we couldn't really get it, because we needed $4 million, but we couldn't get it. That is another thing why people get in trouble, because there is nowhere to go, there is no supervision, there is nobody to talk to and stuff like that.

Have you ever seen a mural written on, some when somebody sweated and everything—I don't know if——

Senator DECONCINI. A mural?

Mr. MORALES. Yes, a mural.

Senator DECONCINI. I know what a mural is. I have seen a lot of them.

Mr. MORALES. I know, but like with different names and different sets. I have done a mural myself and——

Senator DECONCINI. You did it?

Mr. MORALES. Not myself, but I contributed to it and I saw it tagged up and I didn't appreciate it all, because I worked for it, I did it for myself with a lot of other people, and to see that tagged up, it is like disrespect.

Senator DECONCINI. Who did it? Do you know?

Mr. MORALES. Yes.

Senator DECONCINI. Some other gang or something, some enemies?

Mr. MORALES. It isn't a gang, it is just some—it doesn't really matter, really.

Senator DECONCINI. But it makes you mad?

Mr. MORALES. Yes, really mad, because there is no respect.

Senator DECONCINI. Does it make you mad at the person who did it?

Mr. MORALES. Yes, because there is no respect. Like I did it in my own neighborhood and they just came like from another race or another set and it is just disrespect, and that is what Ronnie said, I think, that there is no respect between cultures.

Senator DECONCINI. What do you think should be done about that?

Mr. MORALES. Well, I think there should be more programs, more programs for like the——

Senator DECONCINI. You mean to express those kinds of things?

Mr. MORALES. In a way, but like people could be united.

Senator DECONCINI. Does it bother you, Sergio, if somebody makes reference that you are in a gang? If they say Sergio the gang member, does that bother you?

Mr. MORALES. Yes, sir, it does, because I am not in a gang.

Senator DECONCINI. Well, were you ever in a gang?

Mr. MORALES. Yes.

Senator DECONCINI. But when you were in a gang, it bothered you if they referred to you as a gang member?

Mr. MORALES. Yes, sir.

Senator DECONCINI. Does it bother you if they say that you are a former gang member now? Does that bother you, too?

Mr. MORALES. It does, but not really, because at least they don't call me a gang member right now.

And to the courts, like the juvenile courts, it is good for me, like the courts, in November, I had a gun, an illegal gun under my bed and my mom called the cops.

Senator DECONCINI. Your mother called the cops?

Mr. MORALES. My mother called the cops. It was a sawed-off shotgun, and my mom called the cops and the cops got the gun and it was loaded and everything, and they just wrote me a paper for a sawed-off shotgun, and I shot it three nights before and they were aware of that.

Senator DECONCINI. They were aware that you had shot it?

Mr. MORALES. They were aware of it and didn't do nothing about it.

Senator DECONCINI. How old were you?

Mr. MORALES. 15 years old.

Senator DECONCINI. And what happened to you?

Mr. MORALES. The next day I was going to run away to L.A. and my mom find out. My mom found out and I spit milk at school and

she brought me to downtown, and meeting my dad and my mom and we talked to Sexton Molina right here and he referred me to John Molina after I got out of juvie, and like from then I started knowing my culture, getting to know myself, self-respect, I started taking more pride in everything that was done.

Senator DECONCINI. Because somebody cared and listened to you?

Mr. MORALES. Yes, sir, that is exactly why.

Senator DECONCINI. And before that, you never had come across anybody who would do that?

Mr. MORALES. No, sir. It is like——

Senator DECONCINI. Why did you have the gun, for protection or——

Mr. MORALES. Yes, because I got threatened many times before, because I was in the wrong side of town.

Senator DECONCINI. You thought somebody might be shooting at you and you wanted to shoot back?

Mr. MORALES. Yes, sir, and that was just it.

Senator DECONCINI. What are you doing now?

Mr. MORALES. What I am doing now, I go and talk to some other kids.

Senator DECONCINI. You do?

Mr. MORALES. Yes, sir, to keep them out of trouble.

Senator DECONCINI. Good for you. Do you have a job?

Mr. MORALES. Yes, I got a job last week.

Senator DECONCINI. And are you in school, too?

Mr. MORALES. Yes, sir. I am going to be a junior.

Senator DECONCINI. What made you get out of the gang? When you met Officer Molina, that made you get out of the gang?

Mr. MORALES. Yes, sir. It is not get out of it, I just converted to like a positive thing, contributing toward the gang, toward the home boys and the gang.

Senator DECONCINI. It is certainly a credit to the police department, isn't it, to find policemen that take the time and want to be your friend and listen to you, and not just bust you.

Mr. MORALES. He did care. He took a lot of time.

Senator DECONCINI. Do you have anything else you want to say, Sergio?

Mr. MORALES. Just thank you for the time and for listening.

Senator DECONCINI. Thank you. [Applause.]

Cindy Ramerez, you were with us last night and I want to thank you for your participation last night. You had a lot of interesting things to say.

STATEMENT OF CINDY RAMEREZ

Ms. RAMEREZ. You are welcome.

You talked about while going to school and stuff like that. I just graduated from high school and——

Senator DECONCINI. Congratulations. [Applause.]

Ms. RAMEREZ. A lot of people last night made a comment saying that we get a lot of help and stuff like that, because we are gang members, and nobody helps the baccaros, the cowboys and stuff. But nobody handed me my diploma on a silver platter.

You know, I had a lot of trouble in the beginning of my senior year and nobody pushed me. You know, they just let me go at my own pace, and when I really wanted it, I got it on my own. People kept telling me that it was already too late, you know, that I was going to have to go another year. But I wanted it and I wanted to graduate with my class. Nobody pushed me. It was only like maybe two people that told me you can still do it, you have a chance.

Most of the time they kept saying just give up, forget it, you know. When I started going to the United States to go see about classes and stuff, we were working on campus, it was me and one of my friends, he already goes there. We were the only ones in Dickies and Converse and stuff, and people were looking at us like we did not belong there. They were just like what are you guys doing here. You know, it is a campus, a school, and we were just seeing how things were and stuff, and they like had a different attitude.

Senator DECONCINI. Why, because of your ethnic background or the way you were dressed, or why do you think?

Ms. RAMEREZ. I say the way we were dressed, because we were the only two like that and we are the only two getting the looks, you know. I guess that is why people ask me how come I don't change, because I already finished school, and I want people to see, no matter how I am dressed or what I look like, that I still have a heart, and it is nice to have things like goals and dreams, too, and people have to start listening. If they don't start listening, the future is going to die, because that is what we are, we are the future. [Applause.]

Senator DECONCINI. Cindy, do you object to people making any judgments about the way you look, the way you are dressed?

Ms. RAMEREZ. Yes, because they label us wrong. I mean a lot of people saying, like what the barrios and the gangs, too, they say they are the same and they are not. The barrio has more of a family type value, you respect each other, you treat each other like family.

Senator DECONCINI. Were you in a gang?

Ms. RAMEREZ. I am in a barrio.

Senator DECONCINI. But that is not a gang?

Mr. RAMEREZ. No.

Senator DECONCINI. I mean not in the terms of what we are talking about of gangs?

Ms. RAMEREZ. No, but my friends are and I see everything, too. I lived out in the streets. I used to run away from home. I did everything, too.

Senator DECONCINI. Are those the same things that a lot of the gang members did?

Ms. RAMEREZ. Yes, because my friends were gang members and we just followed through. But then I started seeing this is the way I wanted to live, and a lot of gang members don't see that. They just see like nobody wants to help me, because we don't get the help.

In school, like people were telling me, my counselors were telling me to change and stuff, so I started to try and help other people. I got into peer counseling and I counseled other people. When they started seeing my friends taking a real good look at me, they told

me I couldn't be in there, that I wasn't fit for that activity, because my friends are gang members. And they told me how do you expect to be changing other people's ideas, when you hang around with gang members yourself.

Senator DECONCINI. Were you able to change some people?

Ms. RAMEREZ. Yes, like they would send me—everything that was trying to get into gangs and stuff, they would send them to me to talk to them, and I would take them aside and I would tell them, you know, have you gone to this and I would tell them things that I had seen on the streets that I lived through, and that had taken place with me and my brother and my family and stuff, and when they start seeing the violence, they don't want no part and a lot of people did change. They didn't want it, because of the violence.

Senator DECONCINI. Thank you very much. I want to thank you very much for taking the time and telling the committee here how you feel about these things. It is very important. We don't hear this in our world, and it is very important for us to know some of your reasons and how you think about things, because it is up to us to listen and to respect you, even if we disagree with you. It is up to us to respect you and for you to respect our opinions.

So I appreciate very, very much that you are coming forward. All of your testimony here is going to be put into the record and given to all Senators on the committee and their staffs. If they want to, they can read it and get some good ideas, and maybe they will agree with some and maybe they won't. But that is what we do for a living. We decide whether there is something here that we can translate into a program from the Federal level; maybe we won't build so many jails, maybe we'll build more jails, implement different kinds of programs in the jails, or put programs outside the jails, like an advisory committee to consult with the neighborhood before we build a project there.

Like you said, Valerie, you have a feeling that it was yours, and those are good ideas. I want to thank you very, very much.

I want to thank Dr. Richardson, the Principal of Pueblo High, for the use of these facilities, and the staff who helped put this together. We are very, very grateful. I want to thank Dennis Burke from the Judiciary Committee, and Mr. Strauss behind me, who is helping us here, Mr. Steel, my Director, Ignacio Barraza and other staff members, Bonnie Fritz and two or three others that I probably left out here. I am very grateful for the time you put into this.

And I want to thank the citizens who have come out and listened to this. I regret we do not have time to have just an open microphone, but last evening we got a lot of information which was very helpful, and which will also be part of the record, but this will be the official hearing record here.

I want to thank Senator Kohl, who is the Chairman of the subcommittee that authorized these hearings in Tucson and Phoenix.

Thank you very, very much. [Applause.]

[Whereupon, at 12:45 p.m., the subcommittee was adjourned.]

APPENDIX

ADDITIONAL SUBMISSIONS FOR THE RECORD

City of Phoenix
OFFICE OF THE POLICE CHIEF

June 2, 1993

The Honorable Dennis DeConcini
United States Senate
Washington, D.C. 20510-6275

Attention: Dennis Burke

Dear Senator DeConcini:

Pursuant to your request, enclosed is a copy of the written statement which supported the oral testimony which I gave at the field hearing of the Senate Judiciary Subcommittee on Juvenile Justice on Tuesday, June 1, 1993.

If I can be of any further assistance, please let me know.

Sincerely,

DENNIS A. GARRETT
Police Chief

GERALD P. RICHARD II, Esq.
Special Assistant to the Police Chief

dl/c
Enclosure

620 West Washington Street, Phoenix, Arizona 85003, 602 262 6141

Received from

74-122 O - 94 - 10

Senator DeConcini, Mr. Burke, on behalf of Chief Dennis Garrett and myself, thank you for the opportunity to testify at this field hearing of the Senate Judiciary Subcommittee on Juvenile Justice. I commend you on holding this hearing at an educational institution, and especially one which has a program that helps juveniles who may have had a negative encounter with the criminal justice system.

Over the years, the Phoenix Police Department has dealt with a growing number of juveniles who are committing violent offenses in our communities. The officers of the Phoenix Police Department are at the forefront of trying to serve and protect our citizens, from violent offenders, whether they are juveniles or adults. However, we realize that in order to address this dilemma, it is necessary that every segment of our society, not just the juvenile justice system, must get involved in altering the course which we are headed.

Currently, the Phoenix Police Department is contending with the fact that our resources have been cut or limited. This includes officers, program funding and equipment. Nevertheless, our communities need the same quality of service as any other major metropolitan. The top twenty-five cities in the nation currently have an average of 2.6 officers per 1000 residents. Phoenix is operating with 1.9 officers per thousand. Therefore, it is essential that in order to address the increase in violent juvenile offenses we must begin at the womb, by encouraging parenting classes. We believe that through proper parenting instruction and encouragement we can strenghthen the values which our children need, in order to deal with confrontation in a non-violent way. We need to strengthen the pride within our various cultures and communities so that we have more respect for one another.

In Phoenix, we have attempted to address the issue of violence among our youth through a city ordinance which restricts

juveniles from carrying weapons, without a permission slip from their parents. We accept the fact that if a juvenile wants to get a weapon they can do so regardless of the ordinance. However, the ordinance does provide an officer another tool to try and prevent a violent act from occurring. Unfortunately, we are not able to prevent the numerous violent acts which due occur.

In Phoenix, we have added a new component to the curfew ordinance. Instead of taking a juvenile to a precinct station until the child's parent picks the child up, we take them to a park facility. Although this provides the juvenile with other positive activities to get involved in besides walking the streets, this program could be improved considerably by providing counseling, tutorial services, cultural enrichment courses, food and a number of other services, which could assist a child who has left home in search of something.

The Phoenix police department has also enhanced it's efforts to provide better service through Community Based Policing. In order to effectively achieve this we have included cultural awareness training for our sworn and non-sworn personnel. This allows us to look at and appreciate not just traditional cultures, but cultures such as "Teenagers" as well. Hopefully, this will be one of the ways that we can contribute to reducing the over-representation of minority youth in our juvenile justice system, by establishing a better sense of understanding and respect for our youth, as well as for ourselves.

We are still trying to provide community interaction and awareness through programs such as the Police Activities League, D.A.R.E. and the Gang Resistance Education and Training (G.R.E.A.T.) Programs. However, funding is restricting the number of officers, personnel and materials which we need in order to have an optimum program.

If prevention does not work, then intervention programs through community based organizations have provided a means for juveniles to re-enter main stream society.

If it is necessary to arrest juveniles, then officers are in need of facilities and personnel to securely house our more violent offenders and a plea bargaining system which identifies the kind of offender with which the system is attempting to rehabilitate or punish.

Ladies and Gentlemen of Government: JUN 9 : 1993

93 h/d 8:30 pm, on June 6, in the West Phoenix neighborhood near the cross streets of 39th Av. and Osborn. There has been a drive by shooting 2 hours ago. I am in shock that something like this has happened a few houses from mine. I thought that things like this happened only in remote neighborhoods somewhere in South Phoenix. I am shocked to find out that the neighborhood in which I live is considered a crime ridden area and furthermore I am even more shocked to find out that a drive by shooting happened just the night before at the same location.

When I found this out my initial unasked question for the police was; if this happened the night before, why was this place not under surveillance. My question was immediately answered by a uniformed police officer who told me that their budget is fixed and that they are doing all they can with the limited staff they have.

I am obviously lacking in understanding about such things, but I did notice one thing, last friday I picked up my check from the company for which I work and noticed that $300.00 of it was missing. Looking back at the rest of my check stubs, I noticed that this has been happening for sometime, at least as long as I've been keeping records. Yet, after talking to the police officer I got the impression that they were somehow constrained and under-staffed because they had no money.

This is very confusing. How can there be no money for the police to be adequately staffed to protect the citizens. We are the very citizens whom make everything possible, we pay for every last cent that government spends. You name it and we pay for it.

But somehow it has been brought to my attention that there is no money to protect us! The citizens! Ladies and Gentlemen of government, policy makers, bureaucrats, in all levels of government; I pose to you this question.

Can you collect taxes from a Dead citizen?

I realize that the IRS has been know to attempt this in the past, but I think even they would agree that the rate of return of the living outweighs that of the dead.

Unless you get more cops on the street, unless you get high tech equipment out here, unless you build more jails to put away those who choose not the obey our laws, that is exactly what you will get. Dead taxpaying citizens! (dead investors for those of you Clinton supporters)

We deserve more than what we are getting, we need to insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity. These words sound familiar, I wonder where I read them?

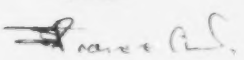
Could it be The Constitution of the United States of America, the single most important document of law, of our great country, the very same document that every elected official swears to uphold?

I don't know how much simpler this needs to be put, maybe I should draw you a picture. Get more cops in this area, give them the best equipment we own, give them the best training we have, give them more money to keep them honest, do it, and do it now! And don't you dare ask for more money.

Just do it!

From a very irritated taxpaying citizen that is committed to making government accountable.

Francisco A. Islas
278-5277



Senator De Concini, Mr. Steele.

Here is some documentation on the only program yet to kind not only in California or in the United States but the only one to deal w/"gang violence" in the Youth Authority level.

This Program is called, "Victim Awareness Program" and functioning at Ventura School Youth Authority, Camarillo, California. This program was started by Mr. Chuck Jordon (see in p. Packet) and is available to further information and advocation of this program.

Enclosed, is a 10 minute Video tape of "gang" members own point of views of their lives, and what got them there, and what they have learned in this program, so they can return to their communities, but productive citizens as role models who are acting to curb further violence in their own communities.

If there is anything I can do, Please call me or write, I would like to extend myself to you in your coordination of our community involvement. (For the record, I have my only two sons incarcerated in Y.A. for a "gang" related murder in Santa Barbara, Ca. 5/6/92

Thanks so for your time, Daniel Zapata 6/2/93 -

PHASE II
OPERATION PERMANENT CEASE-FIRE

A GRASS ROOTS CITIZENS' MOVEMENT TO ELIMINATE DRIVE-BY SHOOTING

I. BACKGROUND

II. THE MESSAGE

A. Expose the Filthy Lies of Drive-by Shooting
- Not a time honored tradition
- It is COWARDLY, not macho
- It makes no one famous or respected

B. Who are the victims?

III. WHAT CAN BE DONE TO STOP THE KILLING?

A. Surviving Victims
B. Civic leaders
C. Media
D. Concerned Citizens
E. Gang Members

IV. OPERATION PERMANENT CEASE-FIRE *PLAN OF ACTION*

A. Video tape gang members
- In prison and on the streets
- Convert them to help stop the killing

B. Circulate videos across the country
C. Donate Videos to Prisons and Youth Groups

CHARLES (CHUCK) JORDAN, FOUNDER
1560-1 NEWBURY ROAD, SUITE #171
NEWBURY PARK, CA 91319
805/986-4153

To be administered by the Starfire Foundation as a non-profit Enterprise
Tax deductible donations can be made to "Starfire Foundation - Operation Cease Fire"

PHASE II
OPERATION PERMANENT CEASE-FIRE
A Grass Roots Citizens' Movement To Eliminate Drive-By Shooting

I. Background

Operation Permanent Cease-Fire began in April 1992 when Charles (Chuck) Jordan addressed a Christian anti-gang rally at a public park in Santa Paula, California. Chuck Jordan (whose 20 year old daughter, Jennifer, was murdered in a drive-by shooting) decided to speak directly to gang members and ask them to help him put a stop to the senseless killing. His message was common sense logic; it pointed out that drive-by shooting is ***not*** a time honored tradition, it is ***not*** brave to shoot at unarmed and unsuspecting victims, and it is, in fact, an act of insanity which kills innocent people. His message went further by pointing out that drive-by shooting is a ***cowardly*** deed which is out of control even by the participants, and it is a criminal act where no one wins. He also notes that society itself has broken down and offered them no solutions through established organizations.

Chuck's anti drive-by shooting efforts escalated the following month when he was invited by the Ventura County District Attorney's Victims Advocate Division to address California Youth Authority (C.Y.A.) inmates during **Victims Awareness Week**. Since that first visit, Chuck Jordan has returned several times as a guest speaker to C.Y.A.'s **Victims Awareness** course taught by Linda Lloyd, and he has interacted with hundreds of young gang members. His presentations have been honest, positive, and forceful; these presentations have encouraged several inmates to volunteer to help stop the killing.

One of these inmates was an influential Pacoima area gang member who offered to assemble his gang to hear Chuck Jordan's message. This inmate was released January 7, 1993 and the proposed **Operation Permanent Cease-Fire** gang interaction meeting took place February 12, 1993 at Mary Immaculate Church in Pacoima. A thank you letter to Father Thomas Rush is attached as a status of events that night

II. The Message

A. Drive-By Shooting *is not* a time honored tradition!

This despicable act escalated from rare and occasional drive-bys to full blown slaughter about 10 to 15 years ago. Prior to this time, drive-by yelling and gang fight "rumbles" were the practice, and they had been for decades. Most current gang member shooters were between five and twelve years old during the drive-by metamorphosis, and they grew up with totally false values from a society that looked the other way. Note that older gang members usually talk the most immature kids into the more dangerous criminal acts.

B. Drive-By Shooting Is Cowardly!

What is so brave about shooting at unsuspecting people as they walk down the street, ride in their cars, or gather at social functions? Anybody could do this; all one has to be is immature, stupid, cowardly, and uncaring toward their victims. Only a mentally ill person could murder a child and feel no remorse.

C. Why Do Kids Kill Without Conscience?

All gang kids find attention and recognition in a gang that they do not find at home. Drive-by shooters imagine that they gain fame and respect by being daring. In their hearts, these are normal children who have been neglected by their families and by our society. They know that killing is wrong; but they justify murders and maimings by convincing themselves that all targets are "enemies" and "rivals." If anyone gets in the way, it's just too bad. In short, these immature kids are willing to kill for attention. It is only later, when the majority of them mature, that they quit killing and maiming. If they live that long...

D. Who Are The Victims?

Victims are not just the people who are hit with bullets. Victims are obviously everyone who loved or cared for the injured person; but victims are also everyone in the shooter's family; and victims are the shooters themselves. A major victim is our society itself. There are now so many drive-by shooting incidents in America, that police agencies are ***ashamed or unwilling*** to gather and publish drive-by related statistics. In a sense, police agencies are victims too, because they get blamed for the criminal consequences our society creates when it looks the other way.

Who are the victims? Blacks are killing blacks, Latinos are killing Latinos, Asians are killing each other, and Whites are killing all races. Who are the victims? All Americans are the victims. Our ideals of law and order have horribly diminished; so much so that America is the most disgraced country in the world when it comes to accepting an escalation of murderous gang violence.

III. What Can Be Done To Stop The Killing?

No movement prior to **Operation Permanent Cease-Fire** has targeted drive-by shooting specifically as a practice to eliminate. If the police or federal law enforcement agencies could have stopped the slaughter, they would have done so years ago. The same goes for elected and/or bureaucratic officials, and sadly, it also applies to our media, which are the most probable cause for escalating violence. This includes printed, video, and motion pictures. Too many media executives want profits without regard to moral obligation. They continue to get richer by gorging themselves on the blood of our adolescents and thousands of victims are created on a daily basis. So what can be done to stop the carnage? The media must become part of the solution. They must take responsibility for sensationalizing gang violence and stop it!

Shooting victims, families of the slain and maimed, families of the slayers, gang members, all private citizens who care, and the killers themselves must band together and reshape the thinking of the younger people who are being led into gang violence. Older people should open their minds to understand that most kids are drawn into gang life primarily for recognition and status, not to mention survival in a society that has allowed gang violence to dominate young minds through fear. Older gang members need to be leaders, they could show real courage and put thoughts of revenge aside. They must take a hard look at their past deeds and think about their younger brothers, sisters, their own children, and their "homies" (fellow gang members.) One gang leader (a convicted killer) kept saying to Chuck Jordan, "We are killing our own, but why? Why are we killing each other? Revenge just leads to more killing! We've got to stop this thing! I want to help! What can I do to help you!"

Here's what we can do:

Every gang member in America should understand that his or her family *and* our society has betrayed them. It is now up to them to change things. Second, shooters can pay back society for some of the bad things they've done by aiming at one gang activity which is even more senseless than graffiti vandalism. These are things that gang members can do that will take real courage:

- REFUSE TO PARTICIPATE IN ANY DRIVE-BY ACTIVITY
- OPEN YOUR HEARTS AND MINDS! KILLING IS WRONG!
- ADMIT DRIVE-BYS ARE STUPID, COWARDLY, AND CRAZY!
- STOP SHOOTING UNSUSPECTING PEOPLE! IT IS NOT BRAVE!
- PUT REVENGE BEHIND YOU!
- ONLY GANG MEMBERS CAN STOP DRIVE-BY SHOOTING!

All gang convicts interviewed said that if they had been *taught by their parents* or *exposed to Victims Awareness courses* in grammar school, their attitudes toward the victims of violence would have been dramatically changed. They simply did not comprehend the domino effect of how many lives, including their own, were affected by drive-by shooting. These kids now have the opportunity to make good things happen through OPERATION PERMANENT CEASE-FIRE.

What can Our Leaders in Society Do?

They should investigate, create, and implement VICTIMS AWARENESS courses throughout America. Why? *Every* convict interviewed by Chuck Jordan stated that as young, naive, gang members, they had absolutely *no remorse* or concern for their victims; indeed, one gang member shot at people merely for the momentary "rush" it gave him to have the power over life and death. These immature kids instantly gained gang status and recognition , if only they could murder without remorse.

It is time for our governmental agencies from local, state, and federal levels to follow the lead mapped out by the California Youth Authority VICTIMS AWARENESS Self-Esteem course as developed by Linda Lloyd and Harry

Kaplan. The "mother" of the idea (Educational Code Section 44806) is Sharon J. English. Ms. English is the Assistant Director, Office of Prevention and Victims Services for the State of California. Since our schools are already over burdened with their academic tasks, new ways and places must be found to reach our kids at risk.

IV. OPERATION PERMANENT CEASE-FIRE PLAN OF ACTION

A. Video Tape Gang Members:

A video tape interview with three convicts who want to help stop drive-by killing and other gang violence was produced February 8, 1993. Edited to a powerful ten minute message on the insanity and cowardice of drive-by shooting, it will be used as an attention getter when Chuck Jordan addresses active gang members now on our city streets.

B. Circulate Videos Across the Country

The active street gang meetings will be video taped for distribution to schools, Youth Groups, Boys and Girls Clubs, and the California Prison System. These tapes will be provided free of charge to California institutions.

C. Donate Videos to Prisons & Youth Groups

The drive-by prevention videos will be marketed to other states. All income derived from these videos will be administered by the Starfire Foundation, which is a 501(c)(3) not-for-profit corporation. Its Board of Directors includes: Dr. A. Gregory Stone, President and Founder, Dr. Elise Schneider, President of Oxnard College, the Honorable James C. McNally, Ventura County Superior Court Judge, Dr. James Esmay, Professor of Economics at California Lutheran University, Libby L. Barrabee, Attorney at Law, and Donald Krebs, President of Access to Recreation, Inc.

D. All net profits from OPERATION PERMANENT CEASE-FIRE will be disbursed as follows:

25% to California Youth Authority Victims Services
25% to Ventura County District Attorney Victims Services
50% to California Youth Groups

E. Gang Member Volunteer Speakers

Ex-convict gang members and active gang leaders will be asked to present videos and answer questions on a volunteer basis. They will also be asked to assemble gang members for OPERATION PERMANENT CEASE-FIRE meetings.

F. VOLUNTEER PARTICIPATION - Chuck Jordan would like to personally extend an invitation to all parents of drive-by shooting victims and shooters to join in this valiant effort. Other concerned citizens are encouraged to join OPERATION PERMANENT CEASE-FIRE with whatever resources they are willing to contribute.

MAYOR
SHIRLEY VILLEGAS

COUNCIL MEMBERS
JOHN GARCIA
ALFONSA MOREIRA
CAROL NORIEGA
LUIS REDONDO
FELIX ROBLES
PETE TADEO

SOUTH TUCSON

CITY MANAGER
WILLIAM L. FONDER

P.O. Box 7501
South Tucson, Arizona 85715
(602) 792-2424

May 27, 1993

The Honorable Dennis DeConcini
2730 East Broadway, Suite 106
Tucson, Arizona 85716

Dear Senator DeConcini

Thank you for inviting me to participate as a witness for the field hearing of the U S Senate Judiciary Subcommittee on Juvenile Justice Wednesday, June 2

I regret that I will be unable to attend the hearing I have enclosed my written statement While, as noted in my statement, the City of South Tucson has recorded no increase in youth violence in the past two years, I commend you and the Subcommittee for addressing a problem of concern to everyone

Please let me know if I can be of any assistance on this or other matters

Sincerely,

Shirley Villegas

Shirley Villegas, Mayor

[redacted]huck [redacted]ordan
1560-I Newbury Rd., Ste 171
Newbury Park, CA 91319
(805) 986-4153

February 26, 1993

Father Thomas Rush
10390 Remick Street
Pacoima, CA

Dear Father Rush,

Thank you for allowing "Operation Permanent Cease Fire" to take place at Mary Immaculate Church on February 12. I am convinced that the six young men meant it when they stood up and swore the God that they would never participate in a drive by shooting again. This means that we helped to save some lives.

It is too bad that Oscar got himself put in jail just as we needed his influence to spread the word about the meeting. He was released the day before, but he was confined to his home through a leg monitor device (if he left home, he would be in parole violation.) The vast majority (200) of his gang did not come because they thought Oscar was still in jail. By visual count (on video-tape) forty gang members attended the meeting and another ten or so loitered outside the door.

I plan to keep "Cease-Fire" going as long as possible; but I won't impose on you further. It is too dangerous. I may request use of a training room in support of "Arriba Con El Barrio." This job program for kids-at-risk does not permit gang attire, nor would it be considered a worthy target by other gangs.

You are a courageous man father. I think it incredible that you retain such serenity in face of the despair that your parishioners bring to you each day. From the bottom of my heart, I thank you and the Archdiocese for allowing the first public/gang meeting of Operation Permanent Cease-Fire.

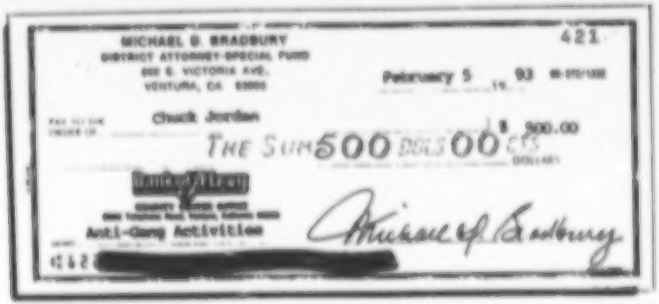
Very Sincerely Yours,

Chuck Jordan

Chuck Jordan

NEED START-UP HELP...A CORPORATE SPONSOR

- OUR FIRST DONATION BY VENTURA DISTRICT ATTORNEY



MICHAEL D. BRADBURY
DISTRICT ATTORNEY-SPECIAL FUND
800 S. VICTORIA AVE.
VENTURA, CA 93009

421

February 5 19 93

Pay to the Order of: Chuck Jordan

$ 500.00

THE SUM 500 DOLLARS 00 CTS DOLLARS

Bank of America
COUNTY BOND ACCOUNT
800 Victoria Road, Ventura, California 93009

Anti-Gang Activities

Michael D. Bradbury

[redacted]

- USED TO VIDEO RECORD YOUTH AUTHORITY PRISONERS WHO WANT TO HELP STOP DRIVE-BY SHOOTING
- NEED $5,000 CASH AND EQUIPMENT LOANS
  - HIGH RATE COPIER
  - OVERHEAD PROJECTOR & SCREEN
  - ONE FAX MACINE
  - FIVE CASES OF COPIER PAPER

Please call Chuck Jordan (805) 986-4153
founder
OPERATION PERMANENT CEASE FIRE & NEIGHBORHOOD UPLIFT
(ARRIBA CON EL BARRIO)

272

BEST COPY AVAILABLE

STATEMENT OF CHERI BOSS-HOSTROS

I would like to thank those responsible for putting this panel together and hope this hearing proves useful in the development of real solutions to Tucson's youth/violence.

In Tucson we have an increasing problem regarding gangs and violence. While our problems have not yet reached the critical proportions of Los Angeles, we need to be vigilant and focus our most intense efforts on innovative and creative programs to preclude further increase in the problem.

Our city is under attack. Violence is stealing our freedom and safety, but worse it robs us of hope for the future when it becomes the lifestyle with which our youth subscribe to.

The crack of a gun fired from a moving car in the still of the night becomes a routine sound in many of our Barrios. It may be a routine sound but it startles sleeping residents. I know because I have many nights been awakened to the sound of gunfire. You sit straight up and listen for cries or sirens, as you hold your breath. You try to determine the direction the shots come from. You hope no one has died. You want it to stop. At night shooting starts.

Residents are becoming prisoners in their homes. They know that gang violence kills innocent victims. They have buried a sixty eight year old woman who sat in a friends kitchen when a bullet ricochet off two cars, passed through a carport, went through a window and pierced her side taking her life. Violence is spreading throughout the city.

I speak to you on behalf of youth who are entangled in gangs and the violence surrounding them.

I have worked in the area of youth gangs for a significant number of years. I watched Tucson's gang problem emerge and see it's rapid increase. Within the population that I work with, I can say that more gang members than high school graduates are being produced.

My statements address Chicano youth gangs since it is with this population that my experience is extensive. Along with a clear understanding of the problem is a working knowledge about programs that do and do not work.

RESOURCES

To date most of the money spent goes to Public agencies as in court, probation/parole, the correction institutions and law enforcement. Yet it is the non-profit organization which has the greatest likelihood of success in programs directed at the gang problems.

These tax supported, public agencies, get by far the greater share of funds available while non-profit agencies are left with little or no funding.

We thus far have ignored the non profit agencies effective style to achieve long term solutions. This more spontaneous style is a source of success and is more accessible to the affected community since the location of non-profit agencies is in the Barrio.

PREVENTION VS INTERVENTION

As the gang problem rises we see that the development of prevention programs has not minimized gang increases. The reason, non mainstream youth are not attracted to the prevention efforts currently underway.

Prevention efforts focus on youth who are not gang involved and take on the banner of anti-gang. Youth who are gang involved see these programs as critical and as enemies. Anti-crime

BEST COPY AVAILABLE

and anti gang translates to opposition for gang youth who are isolated out of this main stream effort

JOB PROGRAMS

If job programs are to be effective, they must aim higher than minimum wage temporary employment. In Tucson, without industry to speak of permanent jobs are few. With a University in town we have a large population of youth who come from out of state and take minimum wage jobs to subsidize tuition and loans. The college students are desirable employees and leave our youth residents with few job opportunities.

DEPARTMENT OF CORRECTIONS

With talk of building more corrections facilities, the prison system is viewed by some as Tucson's fastest growing industry. Must we sacrifice part of our population to employ another part? If we build more prisons we will have to fill them.

PROGRAMS

As youth violence and crime are on the rise, we see the development of programs, some are more likely to succeed than others. Let's take a look at programs that fail and the reasons they fail.

ZERO TOLERANCE

This concept has been adopted by some public schools. Zero tolerance as applied utilizes expulsion to deal with the problem. If two youth are engaged in a fight they are kicked out of school. This process does not minimize violence it just chases it to the street. In many shootings the conflict began at school and was pushed into the street confrontation

Zero tolerance for clothing considered gang attire sets up an opposition mind set and the youth rebellion intensifies. Zero tolerance for drug use or possession ignores the fact that drug use is an indication of a troubled youth. Offering treatment would be more appropriate. Zero tolerance pushes non mainstream youth further into the gang sub-culture and solidifies the gangs existence and validity in the minds of youth.

DROP OUT PREVENTION

Drop outs are not stationed around computer terminal in our schools. Drop outs are on the streets, in the gangs, into drugs and other self destructive behaviors. If this population is going to be reached drop out prevention specialists must take their specialties into the streets.

Programs must be developed with youth in mind. They must be community based. Effectiveness is increased when it speaks to the energies of youth. It must offer them a tremendous number of activities to choose from. Heavy emphasis on sports and games with rewards for success are important. Recognizing success is key in validating youth. In a similar way recognition for achievement to members of the community for their services helps to create mobilization.

In speaking to youth energies there are numerous activities that can be sponsored like, dances, car shows, banquets, cultural events, rap sessions, sports tournaments and youth conferences about youth concerns. These activities are effective when the community is involved because gang youth are invited to be involved in the mainstream. If we are to impact change then we must find opportunities to include gang youth. If we kick them out of the mainstream we isolate them, solidify the gang and treat them as if they are invisible.

SUCCESSFUL PROGRAMS

BEST COPY AVAILABLE

To be a success the program needs to understand that loud music will be played and noisy youth are the norm. If a program doesn't want youth with high energy and high spirits it probably should not involve itself in youth services. If polite and quiet youth are required then look in the library, because the library will not attract non-mainstream youth with all their characteristic energies. The program that can put up with the high energy will keep the youth coming back and once they begin participating, there is a chance to be effective with them.

SPORTING EVENTS

Youth who are permitted to represent their Barrios as a team in sports activities do not need to represent it as a gang member. These team efforts excite tremendous youth interest and participation under adult supervision. The competitive spirit is shown in games, ~~not~~ warfare.

CULTURAL ACTIVITIES

Focus on culture is imperative since gangs teach false information about the Chicano culture. In gangs youth are taught to protect their Barrio through violence. They come to believe that behaving this way makes them men. It's a twisted rights of passage. The right interpretation of culture must be taught. In sporting events and other activities youth meet others from enemy barrios and they can come to see each other as equals, respect each other as opponents and eventually accept each other as ~~friends~~ acquaintances and then friends.

Successful programs offer youth countless opportunities to co-operate and collaborate with each other. This allows barrios to come together. As individuals they were not able to achieve this. Success in teaching culture of Chicanos comes with the concept "Mi Barrio es tu Barrio". It's a culture which traditionally welcomes others as brothers and sisters through pride in it's own values. It is a culture which finds something of value in the culture of others.

DRUG USE/ABUSE/SALES

Drugs use is high in the gang population. That should not surprise us. In the gang lifestyle there is high tension and apprehension. "Life on the ready" becomes a constant when one perceives enemies are everywhere. Whether enemies are real or imagined the tension produced becomes difficult to live with. Add to this the perception that life holds little for you, than the impoverished existence you live in and it is no wonder that drugs are used. It takes the edge off an otherwise tense, dreary and hopeless existence.

Drug use begins the cycle of abuse which is addiction. Once addicted the drug becomes lord over ones life. In this cycle the addict is driven further from the mainstream. In upper and middle class Tucson, addiction is a recognized treatable disease. In the lower socio economic level where most gang members reside the addiction becomes a punishable crime that most often will result in the individuals incarceration.

In Tucson there are no affordable youth treatment programs so the cycle of addiction is not broken. We can not cure a cancer patient by punishing him. We can not interrupt the diabetics disease process without proper treatment and so it is with addiction.

What good is the knowledge that addiction is a treatable disease if we do not provide treatment to those afflicted. If we made treatment a priority we would need far less prison space since a high percentage of those incarcerated are in fact there for crimes that directly and indirectly ~~relate to drugs~~ sought money to supply drugs.

Drug Sales, we know this problem is tremendous. The fact is it thrives because of supply and demand. As long as demand is great there are many who will risk all to insure the supply. If we arrest the disease it can minimize the demand. To those whose lives are not entangled in poverty despair and hopelessness we do not understand the risks that are taken to sell drugs. We must remember, "People who have nothing, have nothing to lose".

BEST COPY AVAILABLE

We are a society who measures a persons worth by where they live, what they drive, what they wear. That is the mainstream material value system. To the youth entrenched in the gang with no education, no job opportunities and no hope, the drug industry offers the chance to be someone who has the material trappings that measure success. The belief becomes, "it makes no difference how you get yours just so you get it".

Today I have brought to this panel youth who have been viewed as the problem, but I present them to you as the solution.

Do more have to die in gang fights, die and be destroyed by drugs. Do more have to give up hope and end up homeless on the streets? Do they have to continue to endure a life of isolation without hope and opportunity before we serve them. I assure you we do not need to punish our youth or defend ourselves against them---we need to reach out to them and offer them the permanent chance to become part of our community. Remember---all of the leaders that we will ever have are young now. These youth are our hope. The future president of the U.S. 50 years from now is already born. He may only be 5 years old. What kind of school will he go to? What kind of life will he have? Does he live in a gang and drug infested Barrio? Is he living in a single parent home, in poverty?

RECOMMENDATIONS

1. A major shift in funding toward more community based programs and local grass-roots services to youth in agencies where youth feel welcome and comfortable.

2. Drug and alcohol treatment for youth in programs designed to impact this youth problem, before the drug problem is punished through the courts.

3. Programs that offer services in the evening, late at night, during weekends and holidays. Services offered on the spot, exactly where problems are occurring. This means a vast increase in outreach programs and outreach workers, who are comfortable working in the streets.

4. Increased recreational opportunities aimed at non-mainstream youth. Trophies, banquets and like rewards for success. Games played against police, church groups and established leagues go a long way in bringing non-mainstream youth into the mainstream.

5. Educational opportunities focused on non-mainstream youth. School for many lower social class youth is a daytime, temporary excursion into middle class culture. To the middle class, dropping out of school is a problem, to non-mainstream youth dropping out may be a solution. For example: The single mom of a 16, 9 and 5 year old has the priority of paying the rent. With a low paying job she can not afford day care, so when her 16 year old wants to quit school her day care problem is solved. Against that back drop forgive the irony---education seems quite academic.

   This is the somber background against which the non-mainstream youth lives. Low income people, with a lower social class outlook on life, lack the priorities and values of the middle class professionals and middle class programs which seek to reach them.

   We have all of the resources, both financial and human to impact change, what is wrong has been are application of those resources.

   Let me say in conclusion that there is a matter of attitude and approach that is so important that any program will fail unless that attitude is present. The middle class approach with middle class attitudes will not reach lower-social class youth. These youth will not come to offices, fill out forms read technical materials, attend lectures and conferences. Not as a rule. The middle class approach fails because middle class professionals who want to reach them assume that these youth are essentially like them.

They are not. These youth live in different parts of town, wear different clothing have little or no money, and no options at all. It is necessary to accept lower social class behavior and attitudes as equally worthy and of equal dignity if you are to communicate with these youth, to reach them and to have some influence upon them. For this reason it is the community based agency, located in the Barrio, operating before 9:00 and after 5:00 which offers the best chance of success with gang youth.

Community based agencies should get strong support and serious funding.

Again thank you on behalf of youth and programs for this opportunity to come together. I hope this is the beginning of co-joint efforts to serve our youth in life changing ways.

Statement of Shirley Villegas, Mayor of South Tucson, Arizona
To U.S. Senate Judiciary Subcommittee on Juvenile Justice, May 27, 1993

My thanks to Senator DeConcini for inviting me to participate in the Judiciary Juvenile Justice Subcommittee hearing concerning the increase in youth violence.

I will confine myself to some brief, general comments, my own personal overview. I do not pose as an expert. I am a working single mom who has served on the South Tucson City Council since 1978, currently and for the past two years as Mayor.

We in the City of South Tucson have not recorded an increase in youth violence during the past year or two. My remarks, then, represent some of my thoughts about our society and some of the possible root causes of youth violence.

In my work at Pima County Juvenile Court as well as in my community I see many children and young adults disconnected from their working parents. Often the parents have so little time and energy after the struggle of their jobs that the children either are neglected or feel neglected. While this syndrome is certainly not new, I believe that in today's economy the number of families involved is larger and growing.

When I was growing up, much was made of the fear of nuclear war. Today, that fear and others may have diminished somewhat, but today's teenager faces bleak job market predictions and the possibility that their generation may be inheriting an environment that will damage their society. If adults feel a little let down and disillusioned about the way things have been going, we should understand that our children may feel a lot let down and disillusioned.

What should we do? We need to reach into and work with our schools. A lot of what we need to do doesn't cost big money. The University of Arizona College of Education is working with TUSD and a variety of local agencies to make the school an integral part of a self-improving community, involving parents. The community group they have formed is asking for funding for after-school and evening programs for children and adults using the school.

Perhaps working with and helping schools should be mandatory for any individual, business, government entity or organization receiving federal funds.

We in South Tucson use our small CDBG monies to contract with our best agencies to provide outreach programs helping families and supplementing schools. We need more day care and early childhood development programs.

In closing, I would invite Senator DeConcini and other Senators and staff to visit us in South Tucson to discuss these matters further. South Tucson has strengths as well as problems. Recently we had over 300 people, 200 of them children, participate in a Saturday morning Spring Clean-up. Our Neighborhood Watch Program participation is increasing. We're looking forward to creating our first general plan since 1977 this year and next. Many people and groups are working together. At the same time a large percentage of our population is economically disadvantaged and we need a great deal of constructive assistance to help build our economic base, to help our families stay together - and to help our children.

United States Senate Judicary Committee,
Subcommitte on Juvenile Justice

Roundtable on Youth Violence

June 1, 1993

El Pueblo Neighborhood Center
1001 W. Irvington
Tucson, Arizona

"It's happening everywhere, to all of us..."

Testimony prepared by:

St. Francis in the Foothills United Methodist Junior High and Senior High Youth

Edited by the following youth:

Matt Michaelson
Abraham Mullen
Erin Roepcke-Bierbaum
Becca Mann
Devon Roepcke-Bierbaum

St. Francis in the Foothills United Methodist Church
4625 E. River Rd.
Tucson, AZ 85732

Phone: (602) 299-9063

Youth Leaders

Sionna Jackson
Barbara Perez
Dennis Embry

- Kids never take stuff home to parents. Kids won't take stuff home. Mailing it home would be better.
- Kids want to be just as good as their friends, so singling us out for big stuff in junior high (middle school) can hurt us with our friends. Give us notes or say nice things to us more privately when we are in middle school.
- Teacher's should ask permission before bragging about a kid's work.
- Avoid comparing to good kids too much; it makes the other kids hate them.
- Encourage more free sports leagues; a lot of us don't have any money.
- More ways of getting to things, specially for one-parent families.
- Stop expecting that their are two parents in a family; that makes it hard for us.
- We have big problems with transportation.
- Individual kids can make a difference collectively; plant little ideas, asking what other kids got out of doing something bad to make them think; give a another kid other opportunities; talk to others kids about what they are doing, asking them if it makes sense;
- Need to get kids to think about both sides of the gun; we think every home room out to do the exercise out of Do or Die.
- Most prevention programs are too nerdish.
- Have people come in and talk who have been victims of violence.
- Ask kids to think through things rather than telling them.
- Ask them to think about what they could do and couldn't do if they got involved in gangs.

- Show respect for presence of young people when they enter rooms.
- Adults need to be a role model for kids, since many of us do show respect for others. Adults have to show the correct path for us to copy it.
- Adults (teachers, police) need to see us as a human beings, instead a lower life form.
- Teachers could show that respect by having fun with kids. Teachers need to greet children and youth coming into the classroom;
- Make sure that teachers can tolerate being with kids; see how they would handle bad kids.
- Expect kids to be good rather than bad, and reward us for being good.
- Encourage parents to get involved in early grades.
- If parents get involved, then there can be more checks and balances. The teachers can see what parents are doing, and parents what teachers are doing.
- Give good ideas to parents on how to do things well with their kids. Parents don't know how to be involved with their kids, don't know what to do.
- It really helps when different parents volunteer each day at school. It makes kids feel better and comfortable to know that parents can come and help.
- Parent volunteers and monitors need to be nice instead of like cops.
- As much as kids deny it, they want their parents parent's attention.
- If mom's help out at school, then other kids much less likely to say bad things about moms at school (which helps reduce fighting by boys).

PREPARED STATEMENT OF FRANK O. ROMERO

THANK YOU FOR THE OPPORTUNITY TO BE HERE AND SHARE MY THOUGHTS. I AM SURE YOU WILL HEAR MANY HORROR STORIES. I WILL TRY TO MAKE SOME SENSE OF THEM.

THE GANG YOUTH HAVE BEEN REJECTED BY THE TRADITIONAL INSTITUTIONS USUALLY CONSIDERED SUPPORT SYSTEMS. ZERO TOLERANCE HAS DRIVEN THESE YOUTH FROM SCHOOL - EVEN THOUGH STATE LAW SAYS AND PAYS FOR THEM TO RECEIVE AN EDUCATION.

HOME MAY OR MAY NOT BE SUPPORTIVE. MANY OF THE PARENTS ARE THEMSELVES PRODUCTS OF THE SOCIAL SYSTEM THAT HAS NOT WORKED AND ARE LACKING PARENTING SKILLS. THE RELIGIOUS INSTITUTIONS MAY NOT HAVE REACHED THESE YOUTH OR REACHED THEM IN THE EXPECTATION THAT THEY AND THEIR PARENTS WERE RESPONSIBLE TO SUPPORT THE CHURCH RATHER THAN THE OTHER WAY AROUND.

JOBS - WELL MOM AND DAD (IF HE WAS AROUND) DIDN'T HAVE ONE THAT ALLOWED THE FAMILY TO THRIVE ECONOMICALLY - MAYBE TATA HAD ONE BUT A VERY MENIAL ONE WITH A SUBSISTANCE PAY CHECK PROVIDING FEW IF ANY FRILLS. FEW POSITIVE ROLE MODELS - WHAT IF THAT WAS THE STORY OF YOUR YOUTH? WHERE WOULD YOU BE? PROBABLY NOT AT THIS HEARING; MAYBE WE WOULD BE DISCUSSING YOUR CHILDREN!

HAVING BEEN DUMPED OUT OF THE EDUCATION PROCESS - FOR WHO THEY ARE - THEY KNOW THEY WILL NOT BE ON THE ROAD TO BECOME LAWYERS, DOCTORS, TEACHERS OR ANYONE WHO MATTERS IN SOCIETY'S BIG PICTURE.

SO THEY HAVE DEVELOPED/CREATED AN INSTITUTION WHERE THEY MAKE THE RULES! THEY DEFINE SUCCESS AND ACHIEVEMENT! THEIR GANG IS AN INSTITUTION THAT IS FRIENDLY AND SUPPORTIVE TO THEM.

SOCIETY OBJECTS BECAUSE OF THE VIOLENCE AND CRIMINAL ACTIVITIES. BUT THE OBJECTIONS MATTER LITTLE - WHAT CAN STOP THE GANGS IS WHEN SOCIETY REACHES OUT AND WELCOMES THESE SAME YOUTH TO PARTICIPATE IN THE MAIN STREAM. WHEN THESE YOUTH FEEL HOPE AND A PART OF SOCIETY, THEY CAN LET GO OF THE GANG. THEY DON'T WISH THE GANG UPON THEIR CHILDREN BUT THAT WILL HAPPEN IF THEIR CHILDREN HAVE NO ALTERNATIVES.

Senator I HOPE YOU CAN HELP US CREATE ALTERNATIVES - QUICKLY VERY QUICKLY.

FRANK O. ROMERO
EXECUTIVE DIRECTOR
NOSOTROS, INC.

BEST COPY AVAILABLE

United States Senate Judiciary Committee,

Subcommittee on Juvenile Justice

Hearings on Youth Violence

June 2, 1993

Pueblo High School
Tucson, Arizona

"Private-Public Coalitions to Stop the Violence and Increase the Peace in our Communities."

Testimony by:

Ms. Karen Wiese, Administrator
Desert Hills Center for Youth & Families
2797 N. Introspect Drive
Tucson, Arizona 85745
(602) 622-5437

Ms. Valerie Rauluk, Chief Executive Officer
Heartsprings, Inc.
P.O. Box 12158
Tucson, Arizona 85732
(602) 577-3389

Mr. Jack Jewett, Director of Corporate Communications
Intergroup Healthcare Corporation
1010 North Finance Center Dr.
Suite 200
Tucson, Arizona 85710-1361
(602) 290-7496

What has the Violence Reduction Coalition done to date?

Distributed 100,000 story/workbooks in English and Spanish teaching elementary school children basic pro-social behaviors that applied behavioral research has established as essential in innoculating children against their own violent behavior and the violent behavior of others.

Monthly teacher newsletters "Creating Peace" that give teachers specific tips on how they can reduce violence and distrubances in their classrooms.

Full page newspaper features delivering specific peace building tips for home, school and community.

A six week 30 second spot broadcast TV campaign presenting specific tactics for stopping the violence and increasing the peace.

Dozens of workshops in the community with kids, parents and teachers.

Dozens of presentations to community groups and service clubs.

And as we speak, we plan a major campaign for the fall with a special Action Comic for middle school students and related materials in newsletters, newspapers, magazines, TV, radio and related events.

What are we teaching ?

To give and get respect. To reduce insults. To praise others when they do good things for us. To speak up honestly of wrongs we have committed and to seek wise mentors.

How are we teaching ?

By starting with the young children. By providing incentives and rewards for participation.

By starting with children we must lead by example and demonstrate that acting in the public interest, even if it means self-sacrifice, is not only ok, it is good, it is the right thing to do. It is not idealistic to treat people the

way we want to be treated. It is not idealistic to take into account and reflect a concern for the interests and well being of all stakeholders. It is not idealistic to expect people to abide by laws, provide community service, be compassionate and consider others in the community. To not adopt a strategy incorporating these fundamental consensus ethical principles is a ticket for failure.

In summary, we would like to make one more plea for coalition building. It is a plea that comes, sadly, from a not very optimistic view of our immediate future.

It is highly probable that government resources for social good will be, once more, reduced, in the near and medium term. If that is so, we need to start planning now for additonal sources of funding to maintain the health of our communities. We cannot hope that someone or something 2,000 miles or 100 miles away will help us unless we help ourselves.

For if we are to 'all get along,' we must all work diligently together.

Violence Reduction Coalition

Tucson, AZ

Members

Arizona Daily Star
Bon Voyage Travel
City of Tucson
Cloud 95/Power 1490
Crime Prevention League
Davis-Monthan Air Force Base
Delta Air Lines
Desert Hills Center for Youth & Families
Flowing Wells School District
Heartsprings, Inc.
Intergroup Healthcare Corporation
KGUN TV-9
KVOA TV-4
KXCI
Marana Unified School District
Pepsi-Cola Bottling of Tucson
Pima County Health Department
Pizza Hut of Southern Arizona
Project ME, Inc.-- Media Modeling
Sunnyside School District
Tucson Education Association
Tucson/Pima Arts Council, Arts Education
Tucson Police Deparment
Tucson Unified School District
Vail School District

SAN FERNANDO VALLEY

Victim's father shares grief, hope with gang members

Hollywood couldn't have written this script. If it had tried, nobody would have bought it — way too improbable for such a serious subject.

A father tries to tame the rage he still feels after his daughter's slaying in a 1991 drive-by shooting. He becomes an ally of gangs. He visits them in prison, on their turf, anywhere they'll let him talk.

He does not come to exact revenge. He wants to open a dialogue of understanding — from the victim's perspective.

Incredibly, it begins to work. A few hundred gang members listen. A few even understand.

Oscar Luna, a Pacoima gang leader now serving time in the California Youth Authority, gives this father safe passage into his neighborhood to get the message out to his members still on the streets.

The father's message is this:

Wise up. End this lowest form of terrorism now plaguing the streets of Los Angeles.

Everybody's losing — the victims and their families, the shooters and their families.

Drive-bys aren't macho or brave — they're cowardly and senseless. Why did they ever start?

DENNIS McCARTHY

Why else? The movies.

"I've been told (by gangs) that the movie 'The Godfather' started it all about 15 years ago," Chuck Jordan says.

Jordan shakes his head. Nothing he hears surprises him anymore. He looks down at his watch and tries to figure out how long it will take him to get from Woodland Hills to Van Nuys. He is on a tight schedule, as always.

The Thousand Oaks father has an 11 a.m. appointment Monday with Luna's parole officer, and then he must be in Pacoima by noon to talk to members of Luna's gang about a business idea.

It is all part of the new life Jordan has carved out for himself after his 20-year-old daughter, Jennifer, was murdered at a birthday party by a 19-year-old member of a Thousand Oaks gang.

Scott Kastan, who was sentenced last March to 40 years to life in prison for the slaying, was trying to take revenge on members of a rival gang who were supposed to be at the party.

Jennifer Jordan, the mother of a then-15-month-old daughter, got in the way when Kastan pulled the trigger.

Another young gang member writes Jordan from the California Youth Authority, summing up the feelings of other inmates Jordan has talked to in the past year.

"I ask myself, 'How could a man work with gangs after his daughter was killed by gangs?' " the boy writes.

He goes on to say that Jordan offers kids like him, "the opportunity to learn about victims before we create them."

Chilling words — "before we create them."

"I'm not naive enough to think that I can stop all gang killings because nobody can," Jordan says. "But I can do my best to stop drive-bys.

"But to do that, I have to make myself an ally of the killers themselves.

"When I talk to them about the victims left behind, I'm a forceful speaker because this is coming right from here," Jordan says, touching his chest. "They realize that."

But emotional, forceful words alo[ne] part of it. Jobs and a future outside of [gan]g and gangs is the hook that Jordan hangs [his] major hopes on for these kids.

He has teamed up with A. Greg Sti[ll] president of Starfire Foundation, an [Ox]nard-based nonprofit organization that p[ro]vides shelter to the homeless.

Together, under the umbrella title [of] Neighborhood Uplift (Arriba con el Barr[io] — they will manufacture 5-inch-wide [re]flecting curb address decals that do [not] fade.

The synergy is perfect. The homeless [will] make the decals. Gang members, wearing Neighborhood Uplift T-shirts and picture identifications, will sell them door to door on commission — with the bulk of the sales money returning to their barrio neighborhoods.

Chuck Jordan closes his loose-leaf binder of job ideas, testimonials and old newspaper clippings of his daughter's tragic death — the lowest form of terrorism.

He has 20 minutes to get to Van Nuys, then on to Pacoima where Oscar Luna's gang has some big decisions to make.

Dennis McCarthy's column appears Tuesday, Thursday, Friday and Sunday.

284

288

BEST COPY AVAILABLE

74-122 (292)

USED AS A HANDOUT FEB. 12TH - MARY IMMACULATE CHURCH

WE ARE KILLING OUR OWN! FOR GOD'S SAKE STOP IT!

ONLY GANG MEMBERS CAN STOP DRIVE-BY SHOOTING!

JUNE 4, 1992 L.A. TIMES

Gang-Related Shootings Claim Another Toddler

By JESSE KATZ
TIMES STAFF WRITER

Thomas Regalado III's eyes lit up Tuesday when his parents brought him a new Playskool tricycle.

That night, as he peddled the trike in front of his El Sereno home, the 2-year-old toddler was slain in the kind of drive-by shooting that has become the nightmare of parents in gang-torn neighborhoods across Los Angeles.

"I don't even know what to say," the boy's father, Thomas Regalado Jr., said Wednesday as he dabbed his bloodshot eyes after a sleepless night at County-USC Medical Center. Doctors spent eight hours operating on Thomas, but were unable to repair damage from the bullet that passed through the left side of his neck and came out his right cheek.

Police, who have no suspects, say the attack was gang-related. Regalado, 21, believes the target may have been an older brother who he said has gang affiliations. When the shooting broke out, Regalado was standing in front of the house with two of his brother's friends.

"They just shoot without thinking," said Guadalupe Regalado, the boy's grandmother, as she stared at the tricycle, its yellow handlebars stained with blood. "What can a little 2-year-old child do? Nothing. Nada."

Although the apparent truce between some factions of the Bloods and Crips has received much attention since the Los Angeles riots, warfare between Latino gangs has continued unabated. Thomas' death was the 27th gang homicide so far this year in the Los Angeles Police Department's Hollenbeck Division, a pace that will probably surpass last year's record high of 21 gang killings in the Riverside

Please see GANGS, B10

GANGS: Shooting Kills Toddler

Continued from B1

community.

The shooting also added to the tally of children who have been caught in gang gunfire—bullets often intended for a parent or other family member. In April alone, three girls—ranging in age from 5 months to 3 years—were killed in separate gang attacks.

Regalado had hoped to someday move from the neighborhood and leave the gang rivalries that have troubled the area for generations. But on a June night, standing in front of the unpainted stucco house on Mercury Avenue where he and his nine siblings have lived since 1975, there also seemed little reason to worry about danger.

He had been talking with his brother's friends for about five minutes, while little Thomas came pedaling down the driveway. "I told him, 'No, no! Hijo, don't go,'" said the boy's grandmother, who did not think the child should be on the street after 10 p.m. "But he said, 'I'm going. I want to go to my papa.'"

Almost as soon as the boy crossed the front yard the gunfire began. Witnesses recall hearing eight or nine rounds fired.

Regalado, a burly man with close-cropped hair and a stubby mustache, instinctively dove for his son and pulled him to the pavement. When the shooting was over, he cradled the boy in his arms and ran with him back to the house. Only then did he notice blood dripping from the child's head onto his khaki pants.

"I haven't done anything bad to anybody," he said. "They just wanted to hit somebody, I guess."

Police said the suspects were seen speeding away in a dark-colored, late-model compact car. At least two men were inside.

An ambulance was called and Regalado, along with the boy's mother, Norma Becerra, followed it to the hospital. All night they waited, crying and praying, clutching a lavender box of tissues.

"The doctors told us they were doing the best they could," said Regalado, still wearing the stained khakis. "But they also said it was bad, that he was in God's hands."

DENISE SILVA, SABRINA HALEY, LASWANGOS UNIVERSITY

WE MUST UNITE AGAINST THIS EVIL INSANITY!

- VICTIMS AND THEIR FAMILIES
- GANG BANGERS AND THEIR FAMILIES
- CLERGY
- ATHEISTS
- CORPORATIONS
- MEDIA
- CONVICTS
- POLICE
- POLITICIANS
- ALL CONCERNED CITIZENS
- ILLEGALS
- NATIONAL RIFLE ASSOCIATION

BEST COPY AVAILABLE

ISBN 0-16-043452-1

230